

EX. 06

**Deposition
Transcript of
Michelle Helm
(w/o exhibits)**

<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE NORTHERN DISTRICT OF ALABAMA 3 MIDDLE DIVISION 4 5 CASE NO.: 4-15-CV-01152-VEH 6 7 MICHELLE LEE HELM, 8 Plaintiff, 9 vs. 10 RAINBOW CITY, ALABAMA, et al., 11 Defendants. 12 13 DEPOSITION 14 OF 15 MICHELLE LEE HELM 16 17 STIPULATIONS 18 19 IT IS STIPULATED AND AGREED by 20 and between the parties through their 21 respective counsel, that the deposition of 22 MICHELLE LEE HELM may be taken before 23 ELIZABETH LAW LANKFORD, Commissioner, at 140</p>	<p style="text-align: right;">Page 3</p> <p>1 Plaintiffs. 2 FORD, HOWARD & CORNETT, by 3 Mr. H. Edgar Howard, 140 South Ninth Street, 4 Gadsden, Alabama, 35901, appearing on behalf 5 of the Defendants. 6 STUBBS, SILLS & FRYE, by Mr. C. 7 David Stubbs, 1724 South Quintard Avenue, 8 Anniston, Alabama, 36202, appearing on behalf 9 of the Defendants. 10 F&B Law Firm, by Ms. Allison B. 11 Chandler, 213 Greene Street, Huntsville, 12 Alabama, 35801, appearing on behalf of the 13 Defendants. 14 15 INDEX 16 17 EXAMINATION BY: PAGE NUMBER: 18 Mr. Howard 5 19 Mr. Stubbs 176 20 Ms. Chandler 240 21 22 (Whereupon, no exhibits were 23 marked in said deposition.)</p>
<p style="text-align: right;">Page 2</p> <p>1 South Ninth Street, Gadsden, Alabama, on the 2 8th day of June 2016. 3 3 IT IS FURTHER STIPULATED 4 AND AGREED that it shall not be necessary for 5 any objections to be made by counsel to any 6 questions except as to form or leading 7 questions, and that counsel for the parties 8 may make objections and assign grounds at the 9 time of the trial, or at the time said 10 deposition is ordered in evidence, or prior 11 thereto. 12 12 IT IS FURTHER STIPULATED 13 AND AGREED that the notice of filing of the 14 deposition by the Commissioner is waived. 15 16 APPEARANCES 17 18 HARP LAW, LLC, By Mr. H. Gregory 19 Harp, 7124 Crown Lane, Trussville, Alabama, 20 35173, appearing on behalf of the Plaintiff. 21 STONE LAW FIRM, by Mr. Moses O. 22 Stone, 2015 1st Avenue North, Birmingham, 23 Alabama, 35203, appearing on behalf of the</p>	<p style="text-align: right;">Page 4</p> <p>1 I, ELIZABETH LAW LANKFORD, a 2 Court Reporter of Southside, Alabama, acting 3 as Commissioner, certify that on this date, as 4 provided by the Federal Rules of Civil 5 Procedure and the foregoing stipulation of 6 counsel, there came before me at the Law 7 Offices of Ford, Howard & Cornett, 140 South 8 Ninth Street, Gadsden, Alabama, beginning at 9 9:11 a.m., MICHELLE LEE HELM, witness in the 10 above cause, for oral examination, whereupon 11 the following proceedings were had: 12 13 MICHELLE LEE HELM, 14 being first duly sworn was examined and 15 testified as follows: 16 17 THE COURT REPORTER: Usual 18 stipulations? 19 MR. HARP: That's fine. She'll 20 read and sign. 21 22 EXAMINATION 23 BY MR. HOWARD:</p>

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1 Q. Would you please state your 2 name? 3 A. Michelle Jorge Helm. 4 Q. How do you spell Jorge? 5 A. J-O-R-G-E. 6 Q. Ms. Helm, my name is Ed Howard. 7 I met you a moment ago. I represent the City 8 of Rainbow City in this lawsuit. 9 The point of your being here 10 today and our being here is for me and others 11 to get information from you. So that's the 12 whole idea. 13 If at any time you don't 14 understand what I'm asking or I lose you 15 somewhere, just please bring that to my 16 attention. All right? 17 A. Yes. 18 Q. She'll remind you, but you do 19 need to answer out yes. And it's easy to get 20 caught up in saying uh-huh and nodding our 21 heads because you and I know what we are 22 talking about but it's hard for her to write 23 it down. So bear that in mind, and you will	1 grandson [REDACTED]. 2 Q. Who's -- let's see. I should 3 know from yesterday, but who is [REDACTED]'s mom? 4 A. [REDACTED]. 5 Q. [REDACTED]. Okay. Are you married? 6 A. No. 7 Q. Have you been married? 8 A. Yes. 9 Q. Who were you married to? 10 A. Claude Stewart, Larry Hamilton, 11 Daniel Helm, Tony Flemming. 12 Q. My understanding -- any more? I 13 sort of stopped you. 14 A. One more. Eric Redmond. 15 Q. From what I have found out 16 yesterday and previously, Mr. Helm died in 17 2002 or 2003? 18 A. 2000. 19 Q. 2000. Did the other marriages 20 end in divorces? 21 A. Yes. 22 Q. Were those divorces in Etowah 23 County?	
1 probably get corrected a few times. All 2 right? 3 A. Yes. 4 Q. If at any time you want to take 5 a break, just say so. This is not meant to be 6 an endurance battle, but it is our opportunity 7 to get some information from you. 8 So, Ms. Helm, what's your 9 birthday? 10 A. [REDACTED] 11 Q. Where do you live? 12 A. [REDACTED] -- or [REDACTED] 13 Gadsden. 14 Q. That's up on Noccalula Mountain, 15 right? 16 A. Yes, sir. 17 Q. About how long have you lived 18 there? 19 A. Since November of last year. 20 Q. Who lives with you at that 21 address? 22 A. My daughter [REDACTED], my 23 daughter [REDACTED], and my daughter TDH and my	Page 6	Page 8
	1 A. Yes. 2 Q. To your knowledge, do these men 3 still live in the north Alabama area? 4 A. I do not recall. 5 Q. Fair enough. 6 Besides the three daughters you 7 mentioned a minute ago, do you have other 8 children? 9 A. Yes. 10 Q. Who are they? 11 A. [REDACTED]. 12 Q. [REDACTED]? 13 A. Yes. 14 Q. Anybody else? 15 A. [REDACTED]. 16 Q. Is that spelled with Cs? 17 A. It's actually [REDACTED]. 18 Q. [REDACTED]? 19 A. Yes, sir. 20 Q. Anyone else? 21 A. No. 22 Q. Is there a Mr. Anderson? 23 A. Yes.	

	Page 9	Page 11
1 Q. That [REDACTED] is married to?	1 road.	
2 A. Yes.	2 Q. Right. Before Monte Vista? No,	
3 Q. What's his first name?	3 excuse me. Before Palace Avenue?	
4 A. Nick.	4 A. Correct.	
5 Q. Where do they live?	5 Q. Okay. Was it Southside?	
6 A. Southside.	6 A. No -- I think it is.	
7 Q. Where does Aaron Helm live?	7 Q. Okay.	
8 A. Southside.	8 A. Whorton Bend. I just don't	
9 Q. Does he live with them?	9 remember the road.	
10 A. Yes.	10 Q. What part of Whorton Bend?	
11 Q. Did Aaron Helm live in Georgia	11 A. Right at the -- by Whorton Bend	
12 for some period of time in the past couple of	12 Road.	
13 years?	13 Q. Well, yeah. Whorton Bend Road	
14 A. Yes.	14 runs through the whole bend, as it were?	
15 Q. Where?	15 A. Oh, it does, doesn't it?	
16 A. Actually, no.	16 Q. It's got the Rainbow City end	
17 Q. Okay.	17 and then the skating rink end and then the	
18 A. I apologize.	18 fields and so forth.	
19 Q. The reason I ask that is in	19 A. Across the pasture.	
20 something, probably a Facebook post or	20 Q. Across the pasture from what?	
21 something, I had the idea that he was in	21 Do you know where the little churches are?	
22 Buford, Georgia. Does that ring any bells?	22 MR. HARP: Was it on Lasseter?	
23 A. Yes.	23 THE WITNESS: No.	
	Page 10	Page 12
1 Q. How come?	1 MR. HARP: Is that when -- is	
2 A. He lived there more than two	2 that where you were living when TDH was hit by	
3 years ago.	3 the car?	
4 Q. Okay. Do you know if he was	4 THE WITNESS: No.	
5 living in Buford on the date of the incident	5 MR. HARP: So you were living at	
6 made the basis of this lawsuit, January 16,	6 a different location? I'm sorry. I'm just	
7 2015?	7 trying to move this along.	
8 A. I don't recall.	8 MR. HOWARD: Sure.	
9 Q. Okay. Where were you living on	9 THE WITNESS: I just don't	
10 January 16, 2015?	10 remember the name of the road. It was in	
11 A. Palace Avenue.	11 Whorton Bend.	
12 Q. Rainbow City?	12 MR. HARP: Okay.	
13 A. Yes.	13 Q. (By Mr. Howard) I can help you	
14 Q. About how long did you live at	14 because I'm a Whorton Bend person.	
15 Palace Avenue in Rainbow City?	15 Was it toward -- down toward --	
16 A. Approximately two years.	16 more toward the skating rink?	
17 Q. And then did you move from there	17 A. No.	
18 to the [REDACTED] location?	18 Q. More down toward the other end?	
19 A. Yes, sir.	19 A. Correct.	
20 Q. Where did you live before living	20 Q. Do you know if it was actually	
21 on Palace Avenue?	21 in Rainbow City? You know, part of that is?	
22 A. Hampton Road -- oh, wait. Let	22 A. I think my address was Gadsden.	
23 me back up. I don't recall the name of the	23 Q. Okay. And do you remember -- do	

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<p style="text-align: right;">Page 13</p> <p>1 you remember if it was near the fire station? 2 A. No. 3 Q. Okay. Was it near the big house 4 that burned? Do you know what I'm talking 5 about? 6 A. As soon as you pass Tracy Js and 7 you come down past the marina -- 8 Q. Right. 9 A. Whorton Bend Road is on the 10 right. 11 Q. Right. 12 A. It was the third house on the 13 right from there. 14 Q. I know exactly where you are 15 talking about. 16 There was a house there that 17 Dr. Somebody built right there in the -- at 18 the end of a slough. Does that make -- 19 A. I don't know. 20 Q. Were you on Whorton Bend Road or 21 one of the side streets? 22 A. I don't know. 23 Q. But if I'm hearing you right,</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. And according to what she said 2 yesterday, y'all were living on Lasseter at 3 that time. Is that correct? 4 A. No. 5 Q. Okay. Were y'all living on 6 Hampton at that time? 7 A. Yes. 8 Q. Okay. Before living on Hampton 9 in Southside, where did you live? 10 A. Miller Drive. 11 Q. Where is that? 12 A. Southside. 13 Q. We have now worked back to some 14 time before 2012. 15 What other places have you lived 16 since let's say 2000? 17 A. I don't recall. 18 Q. Okay. Are there others, I 19 guess, working back from Miller Drive? 20 A. I don't -- 21 Q. Okay. A moment ago, when you 22 gave me your husbands' names, was that in 23 order chronologically?</p>
<p style="text-align: right;">Page 14</p> <p>1 it's after Whorton Bend goes to the right? 2 A. Correct. 3 Q. Okay. Believe me. I drive past 4 there all the time. That's why I'm asking. 5 Okay. About how long did you 6 live at that Whorton Bend address? 7 A. I don't recall. A very short 8 time. 9 Q. Okay. Was there a time between 10 Palace Avenue and Monte Vista that you lived 11 in Southside? 12 A. No. 13 Q. Before Whorton Bend did you live 14 in Southside? 15 A. Correct. 16 Q. Was that the Lasseter address, 17 or do you remember what street it was? 18 A. Hampton. 19 Q. I'm working backward in time, 20 but it's my recollection that your daughter 21 TDH or TDH was struck by a car in 2012. Does 22 that jive with your memory? 23 A. Yes.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Yes. 2 Q. Okay. When did the marriage to 3 Mr. Redmond end? 4 A. I don't recall. 5 Q. When did the marriage to 6 Mr. Flemming end? 7 A. I don't recall. 8 Q. Okay. The marriage to Mr. Helm 9 obviously ended when he died, correct? 10 A. Yes. 11 Q. And by what you said a minute 12 ago, Flemming and Redmond were after 2000? 13 A. Correct. 14 Q. And then when did the marriage 15 to Larry -- I have got H period. I don't know 16 why I didn't write his name. 17 MR. STUBBS: Hamilton. 18 MR. HARP: Hamilton. 19 Q. Hamilton. When did that end? 20 A. I don't recall. 21 Q. And the marriage to Mr. Claude 22 Stewart, when did that end? 23 A. I don't recall.</p>

<p style="text-align: right;">Page 17</p> <p>1 Q. At the time of the incident that 2 made the basis of the lawsuit, January 16, 3 2015, were you married?</p> <p>4 A. No.</p> <p>5 Q. At the time you were at the 6 Hampton Road address, correct? Did I get that 7 right?</p> <p>8 A. Repeat that.</p> <p>9 Q. At the time TDH went to the 10 concert and all these things happened, you 11 were living on Hampton Road?</p> <p>12 A. No.</p> <p>13 Q. Where were you living?</p> <p>14 A. Palace.</p> <p>15 Q. Oh, you told me that. I 16 apologize.</p> <p>17 Okay. At that time who was 18 living with you at Palace Avenue?</p> <p>19 A. [REDACTED], TDH and [REDACTED].</p> <p>20 Q. [REDACTED]'s son had not been born 21 yet?</p> <p>22 A. Correct.</p> <p>23 Q. Did Mr. Redmond ever reside at</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. Okay. What was the reason for 2 moving from Goodyear to Miller?</p> <p>3 A. Excuse me.</p> <p>4 Q. Sure.</p> <p>5 A. I bought a house.</p> <p>6 Q. Okay. At Goodyear, you had not 7 owned?</p> <p>8 A. No.</p> <p>9 Q. Okay. Has -- well, let's say up 10 to -- up to January of 2015 had TDH always 11 made her home with you?</p> <p>12 A. Yes.</p> <p>13 Q. And since January of 2015 has 14 TDH made her home with you?</p> <p>15 A. Yes.</p> <p>16 Q. She described to us yesterday -- 17 I will represent to you -- a plan she had for 18 moving to Albertville. Do you recall such a 19 thing?</p> <p>20 A. I don't.</p> <p>21 Q. Pardon me?</p> <p>22 A. No, I don't.</p> <p>23 Q. Okay. Do you recall her working</p>
<p style="text-align: right;">Page 18</p> <p>1 Palace Avenue?</p> <p>2 A. No.</p> <p>3 Q. Did Mr. Redmond ever reside at 4 Whorton Bend?</p> <p>5 A. No.</p> <p>6 Q. Did Mr. Redmond ever reside at 7 Southside, Hampton?</p> <p>8 A. No.</p> <p>9 Q. Same question, Southside, Miller 10 Drive?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Did you and Mr. Redmond 13 live together anywhere else besides Miller 14 Drive?</p> <p>15 A. No.</p> <p>16 Q. Okay. Do you remember where you 17 and Mr. Tony Flemming lived?</p> <p>18 A. Yes.</p> <p>19 Q. Where?</p> <p>20 A. Miller.</p> <p>21 Q. Okay. And Daniel Helm, where 22 were you living when he died?</p> <p>23 A. Goodyear Avenue.</p>	<p style="text-align: right;">Page 20</p> <p>1 in Albertville?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. But you don't recall her 4 having an idea of working in Albertville and 5 living with a friend of hers in an apartment?</p> <p>6 A. No.</p> <p>7 Q. Do you recall any occasions 8 where she lived with her sister [REDACTED] at 9 their house?</p> <p>10 A. No.</p> <p>11 Q. Do you work anywhere outside of 12 the home, Ms. Helm?</p> <p>13 A. Yes.</p> <p>14 Q. Where do you work?</p> <p>15 A. Kingdom Cleaning.</p> <p>16 Q. Is this a housekeeping business?</p> <p>17 A. Yes.</p> <p>18 Q. Are you the proprietor?</p> <p>19 A. Yes. Excuse me.</p> <p>20 Q. Is it just a sole</p> <p>21 proprietorship, or are you incorporated in any 22 way? Just sole?</p> <p>23 A. Correct.</p>

<p style="text-align: right;">Page 21</p> <p>1 Q. Do you have any partners? 2 A. No. 3 Q. How long have you done business 4 as Kingdom Cleaning? 5 A. I don't recall. 6 MR. HARP: Give him your best 7 estimate. 8 A. Three years. 9 Q. Okay. Thank you. That will 10 save me a few questions. 11 So at the time of January 2015 12 you were doing that business? 13 A. Correct. 14 Q. Okay. Is that geared towards 15 residences, or do you have any work for any 16 businesses too? 17 A. Residential. 18 Q. Before having your Kingdom 19 Cleaning business, for give or take three 20 years, did you have other work outside the 21 home? 22 A. Correct. 23 Q. Where did you -- what sort of</p>	<p style="text-align: right;">Page 23</p> <p>1 A. There were several. 2 Q. Okay. Tell me what you 3 remember. 4 A. Mango's. I opened that 5 restaurant. 6 Q. That's over there on the river, 7 correct, wasn't it? 8 A. It was. 9 Q. In that very voluminous building 10 there next to Chili's? 11 A. Uh-huh (indicating yes). 12 Q. Correct? 13 A. Yes. 14 Q. Okay. What other restaurant 15 businesses? 16 A. Velocity on Rainbow Drive. 17 Q. Sure. 18 A. I opened that. 19 Q. When you use the term "opened," 20 what do you mean? 21 A. When they're opening the 22 restaurant. 23 Q. Okay. Meaning that you were</p>
<p style="text-align: right;">Page 22</p> <p>1 occupation did you have before Kingdom 2 Cleaning? 3 A. Before? 4 Q. Uh-huh (indicating yes). 5 A. I don't recall, but, yeah. I 6 don't recall. 7 Q. Were you working for yourself, 8 or would you have been working for somebody 9 else? 10 A. Somebody else. 11 Q. And I understand you may not 12 know the name, but do you know what the nature 13 of that work was? 14 A. Restaurant business. 15 Q. Locally? 16 A. Yes. 17 Q. What was your function, hostess, 18 waitress? 19 A. Server. 20 Q. Owner? Server? 21 A. Uh-huh (indicating yes). 22 Q. Do you remember now what that 23 place was, the name?</p>	<p style="text-align: right;">Page 24</p> <p>1 there and working there when it opened? 2 A. Correct. 3 Q. But, again, not meaning you had 4 an ownership? 5 A. No. 6 Q. Okay. Same sort of thing, 7 serving or -- 8 A. Correct. 9 Q. Okay. Now, Velocity's opening 10 was in the last couple of years, was it not? 11 A. I don't recall. 12 Q. When you opened Velocity, who 13 was the proprietor? 14 A. I don't recall. 15 MR. HARP: Can we take a break? 16 MR. HOWARD: Sure. 17 (Whereupon, a brief recess was 18 taken.) 19 MR. HOWARD: We are back on. 20 Q. (By Mr. Howard) I was just 21 asking you about Velocity because I know that 22 -- I remember some time it opening in the 23 last -- well, I can remember it.</p>

<p style="text-align: right;">Page 25</p> <p>1 So who would you have been 2 working for, the main person running that? 3 A. I believe her name is -- it was 4 Chef -- I want to say Becky, but I could be 5 wrong. Vicki. 6 Q. Vicki or Becky, something like 7 that? 8 A. Correct. 9 Q. How long did you work at 10 Velocity? 11 A. Maybe six months. 12 Q. Were you doing your cleaning 13 business and working at Velocity at the same 14 time? 15 A. Yes. 16 Q. I mean, I could see how you 17 might be able do that, yeah. 18 A. Yeah. 19 Q. Okay. Any other restaurants 20 that you worked at besides Mango's and 21 Velocity? 22 A. I think I worked at the 23 Courtyard a long time ago.</p>	<p style="text-align: right;">Page 27</p> <p>1 A. At Gadsden Mall and the Centre 2 location. 3 Q. Do you and your family have any 4 sort of connection to Centre? 5 A. No. 6 Q. The reason I ask is I believe 7 one of the doctors that TDH mentioned 8 yesterday was somebody who was at Cherokee 9 something something? 10 A. Yes. 11 Q. Do you know who that is, a 12 Dr. Kelly? 13 A. Yes. 14 Q. Do you know how it was that -- I 15 think she said her sister had been there when 16 she was -- maybe it was when she was pregnant. 17 Maybe not. I should have asked, and I didn't. 18 Any particular way your family 19 got to Dr. Kelly? 20 A. He was on the Medicaid list. 21 Q. Okay. But it's not because you 22 happened to be working at Jackson Hewitt, at 23 that location at the time?</p>
<p style="text-align: right;">Page 26</p> <p>1 Q. Okay. 2 A. And Western Sizzlin one day. I 3 tried that for a day. I was searching around. 4 Q. Was Marty the proprietor at the 5 Courtyard when you were there? Do you 6 remember him? 7 A. I really don't. 8 Q. Any others where you stayed for 9 any length of time, enough to draw a few 10 checks, I guess? 11 A. I think that's it. 12 Q. Okay. Now, I want to make sure 13 I cover it. 14 Any other places that you have 15 had an occupation in this community in the 16 last 10, 15 years? 17 A. I worked for Jackson Hewitt. 18 Q. Is that doing income tax? 19 A. Correct, yes. 20 Q. Was it at a storefront in 21 particular here? 22 A. Yes. 23 Q. Where is that?</p>	<p style="text-align: right;">Page 28</p> <p>1 A. No. 2 Q. Okay. Any other places of 3 occupation that you can think of in the last 4 -- since 2000, let's say? 5 A. I believe I gave it all. 6 Q. Okay. If you come up with any, 7 you can always bring them back up. 8 A. Yes, sir. 9 Q. Did you grow up in Etowah 10 County? 11 A. No. 12 Q. Where did you grow up? 13 A. California and Cincinnati. 14 Q. Okay. Were you born in 15 California? 16 A. Yes. 17 Q. And at what point in your 18 childhood did you move to Cincinnati? 19 A. Approximately 12 or 13. 20 Q. Did you go to high school in 21 Cincinnati? 22 A. Northern Kentucky. I'm sorry. 23 Q. Northern Kentucky?</p>

	Page 29		Page 31
1	A. Yes.	1	receive a two-year degree?
2	Q. Was that Covington? No?	2	A. No.
3	A. Yes.	3	Q. Have you had any further -- or
4	Q. Yes, it is Covington. Did you	4	do you hold like any licenses or
5	go to high school in Covington?	5	certifications from the State of Alabama?
6	A. No, I didn't.	6	A. No.
7	Q. In the area?	7	Q. Okay. Like cosmetology?
8	A. In the area, in Northern	8	A. No.
9	Kentucky.	9	Q. After living in Northern
10	Q. And did you graduate?	10	Kentucky, was the next place for you to live
11	A. GED.	11	in Gadsden?
12	Q. At some point a few years later	12	A. No.
13	you got your GED?	13	Q. Where did you live after
14	A. No, immediately.	14	Northern Kentucky?
15	Q. Have you had any further	15	A. Ft. Lauderdale, Florida.
16	schooling since your GED?	16	Q. And was the next place after
17	A. Yes.	17	that Gadsden?
18	Q. What have you had?	18	A. Ballplay.
19	A. I went to Northern Kentucky	19	Q. Ballplay. After you moved from
20	University. I went to a beauty school. I	20	Ft. Lauderdale to Ballplay did you remain in
21	went to --	21	the Etowah County area?
22	Q. Where was the beauty school?	22	A. No.
23	A. Florence, Kentucky. I went to	23	Q. Living? Where did you live
	Page 30		Page 32
1	Gadsden State.	1	after Ballplay?
2	Q. Anywhere else?	2	A. I went back to Northern
3	A. I think that's it.	3	Kentucky.
4	Q. Okay.	4	Q. Okay. And after that where did
5	A. Oh, my Jackson Hewitt	5	you live next, after going back to Northern
6	certification.	6	Kentucky after Ballplay?
7	Q. Okay. You know, I've heard of	7	A. Came back here.
8	Western Kentucky and Eastern Kentucky. I have	8	Q. Okay. And after that have you
9	never heard of Northern Kentucky. Is it in	9	been here since?
10	that Covington area?	10	A. Correct.
11	A. Yes.	11	Q. Okay. You moved -- I guess you
12	Q. Did you obtain -- how long did	12	moved from California to Northern Kentucky
13	you go to NKU?	13	with your folks, correct?
14	A. I don't remember.	14	A. My father.
15	Q. Okay. Did you get any sort of	15	Q. Your father? Then how did you
16	degree from that?	16	-- what led you to go from Northern Kentucky
17	A. No.	17	to Ft. Lauderdale?
18	Q. And did the beauty school or	18	A. My husband and I.
19	cosmetology school, did you get -- did that do	19	Q. Okay. Would that have been
20	enough for you to get a license or a	20	Mr. Stewart or Mr. Hamilton?
21	certification?	21	A. Mr. Helm.
22	A. No.	22	Q. Mr. Helm. Okay. What brought
23	Q. And at Gadsden State did you	23	y'all back to Ballplay or to Ballplay?

<p style="text-align: right;">Page 33</p> <p>1 A. We just wanted to raise our kids 2 here. 3 Q. Sure. Was he from this area? 4 A. No. He had a brother that lived 5 here. 6 Q. Okay. That was kind of the 7 connection and the reason for moving? 8 A. Yes. 9 Q. What business was he in that he 10 could move from Ft. Lauderdale to here, I 11 guess? 12 A. You mean Dan? 13 Q. Yes. 14 A. He was a carpenter. 15 Q. So that -- in other words, 16 moving here didn't pose a big problem for him? 17 A. No. 18 Q. He had a skill? 19 A. (Witness nods head 20 affirmatively.) 21 Q. And then why did you go to 22 Northern Kentucky, and why did you come back 23 to Gadsden -- back to Northern Kentucky from</p>	<p style="text-align: right;">Page 35</p> <p>1 place of business, or was he able to do it 2 from home? 3 A. From home. 4 Q. And since you moved back with 5 Mr. Helm I guess following the birth of your 6 daughter, since that time you have remained in 7 Gadsden or Etowah County? 8 A. Yes. 9 Q. Okay. Other than the family 10 members you have told me about, do you have 11 any other reasonably close family members, 12 people that you like to see in north Alabama? 13 A. No, sir. 14 Q. Have you ever given a deposition 15 before? 16 A. Yes. 17 Q. How many times? 18 A. No, I haven't. 19 Q. I bet you attended one? 20 A. That's why. 21 Q. But you weren't the actual 22 witness? 23 A. Correct, yes, sir.</p>
<p style="text-align: right;">Page 34</p> <p>1 Hokes Bluff -- I'm sorry. Am I right? 2 You said you left Hokes Bluff to 3 go to -- 4 A. We moved here, and then we moved 5 back to Northern Kentucky. When I got 6 pregnant with [REDACTED], I wanted to be by my 7 mom. 8 Q. Was he from Northern Kentucky? 9 A. That's where we met. 10 Q. I gotcha. And then y'all moved 11 back to Gadsden? 12 A. Correct. 13 Q. Okay. Did Dan have any sort of 14 -- was he the proprietor of any business? 15 A. Yes. 16 Q. Just his own -- 17 A. Correct. 18 Q. -- contracting or 19 subcontracting? 20 A. Yes. 21 Q. But just by his name? 22 A. Yes. 23 Q. And did he have any sort of</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. That would have been of TDH? 2 A. Yes. 3 Q. In her pedestrian accident? 4 A. Yes, yes. 5 Q. No other times have you given a 6 deposition? 7 A. No. 8 Q. Are there any other times you 9 attended a deposition? 10 A. Yes. 11 Q. In what? 12 A. My husband's death. 13 Q. Was there some sort of legal 14 proceeding that arose from his death? 15 A. Yes. 16 Q. What kind? 17 A. Wrongful death suit. 18 Q. And I don't need to go into it a 19 great deal, but what had happened that led to 20 the wrongful death suit? I mean, I understand 21 he died, but what had -- 22 A. Specifically? 23 Q. Yeah.</p>

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1 A. He was electrocuted on the job.
 2 Q. Many times when people die on
 3 the job there's a workers' compensation part
 4 of the case, and then sometimes there's also
 5 another lawsuit against somebody else besides
 6 the employer.

7 Do you remember about whether
 8 there was two parts of your husband's death
 9 case?

10 A. No, I do not.

11 Q. Did that get filed here in
 12 Etowah County?

13 A. Yes.

14 Q. Who was your lawyer?

15 A. Tom Davis was my local attorney.

16 Q. Okay.

17 A. And our Georgia attorney, I
 18 don't recall at the moment.

19 Q. Was your husband in Georgia at
 20 the time of his death?

21 A. Well, Rome.

22 Q. Yeah.

23 A. Is that Georgia?

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1 MR. HARP: I understand why you
 2 want to know, but I'm going to instruct her
 3 not to discuss a confidential settlement.

4 Q. Was the settlement confidential?

5 A. Yes, sir.

6 Q. Okay. Aside from that case,
 7 have you given any other depositions?

8 A. Not to my knowledge.

9 Q. Have you ever been a witness in
 10 a court case?

11 A. Did I witness?

12 Q. Well, were you called to the
 13 witness stand in a court case?

14 A. No.

15 Q. Were there any occasions where
 16 you were interviewed as a witness for some
 17 sort of criminal proceeding about somebody
 18 else?

19 A. I'm just thinking about the --
 20 TDH's car accident. We did depositions for
 21 that.

22 Q. The car accident?

23 A. So that's where I -- you know --

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Page 40

1 Q. Yeah.

2 A. Okay.

3 Q. I mean, I'm kind of figuring
 4 since there was a Georgia lawyer involved.

5 A. Yeah.

6 Q. Okay. Do you remember how long
 7 -- I understand your husband died in 2000.

8 Do you remember how long it was
 9 after that that y'all concluded the case?

10 A. Maybe a couple of years.

11 Q. Did it go to trial, or did it
 12 settle?

13 A. Settled.

14 Q. As a result of that, were any --
 15 were there any separate provisions to the
 16 children where a certain amount was placed in
 17 a trust or an account?

18 MR. HARP: Don't get into your
 19 settlement. She is not going to get into
 20 that.

21 MR. HOWARD: Well, I want to
 22 know about TDH's -- I'm finding out about TDH.
 23 That's the only reason I'm asking that.

1 Q. Sure. Right. There was a
 2 hearing where you had to go up with the judge
 3 to get the settlement approved, something like
 4 that, for TDH?

5 A. Yes.

6 Q. And that's what I'm talking
 7 about. That would have been a court
 8 appearance, correct?

9 A. Correct.

10 Q. Other than that, you don't
 11 recall any other times --

12 A. Correct.

13 Q. -- to court?

14 MR. HARP: Again, I wasn't
 15 coaching. I was trying to -- with the head
 16 nod, I was trying to move this along.

17 MR. HOWARD: No problem.

18 Q. Aside from the -- well, on the
 19 night of the concert, January 15 -- January
 20 16, 2015, were you arrested?

21 A. Yes.

22 Q. I'm going to come back to that.
 23 Aside from that arrest, have you

<p style="text-align: right;">Page 41</p> <p>1 ever been arrested before that or since?</p> <p>2 A. Yes.</p> <p>3 Q. Tell me when and what for.</p> <p>4 A. I don't recall when, the date.</p> <p>5 Q. Okay.</p> <p>6 A. It had something to do with an 7 old boyfriend, and I was intoxicated. It was 8 a long time ago.</p> <p>9 Q. Okay. Some sort of squabble 10 between you and an old boyfriend?</p> <p>11 MR. HARP: Object to the form.</p> <p>12 A. No. I was just -- I wasn't 13 supposed to be where I was.</p> <p>14 Q. Okay. Had you been told not to 15 be where you were?</p> <p>16 A. When I got there, yeah.</p> <p>17 Q. Okay.</p> <p>18 A. That I can recall.</p> <p>19 Q. And I understand you can't 20 recall the exact date. Can you give me a 21 ballpark?</p> <p>22 A. Eight years ago, nine years ago.</p> <p>23 Q. Okay. Was the boyfriend any of</p>	<p style="text-align: right;">Page 43</p> <p>1 remember.</p> <p>2 Q. Do you remember if you had to 3 pay a fine?</p> <p>4 A. I don't.</p> <p>5 Q. That's okay.</p> <p>6 A. I don't remember. It's been a 7 long time.</p> <p>8 Q. Believe me. I'm just asking you 9 for what you remember.</p> <p>10 A. Yeah.</p> <p>11 Q. Because that's all you can 12 testify to. But sometimes I do ask you 13 follow-up questions to help you remember.</p> <p>14 A. (Witness nods head 15 affirmatively.)</p> <p>16 Q. Did you have to appear before a 17 judge? And if you don't remember, that's 18 fine.</p> <p>19 A. I really don't remember the 20 specific details about it.</p> <p>21 Q. Okay.</p> <p>22 A. Really.</p> <p>23 Q. Well, the reason I asked you, a</p>
<p style="text-align: right;">Page 42</p> <p>1 your husbands later?</p> <p>2 A. No.</p> <p>3 Q. And do you remember -- I mean, I 4 understand you were somewhere you weren't 5 supposed to be.</p> <p>6 Do you remember what you were 7 actually charged with?</p> <p>8 A. No.</p> <p>9 Q. Okay. What city or jurisdiction 10 made that arrest?</p> <p>11 A. It was Rainbow City.</p> <p>12 Q. Do you remember where you were 13 living at the time?</p> <p>14 A. Miller.</p> <p>15 Q. So I'm guessing you were not at 16 home when the arrest was made because you were 17 living -- Miller is in Southside, right?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. So you were not at home?</p> <p>20 A. Correct.</p> <p>21 Q. What became of whatever it was 22 you were charged with? What became of that?</p> <p>23 A. I really don't recall. I don't</p>	<p style="text-align: right;">Page 44</p> <p>1 lot of times you may not remember some things 2 but you may remember -- I don't know -- being 3 in front of a judge or going to a building or 4 something.</p> <p>5 In any event, you don't 6 remember?</p> <p>7 A. Correct.</p> <p>8 Q. And you don't remember having to 9 serve any sort of probation where you had 10 to --</p> <p>11 A. No.</p> <p>12 Q. And I ask that because you said 13 you were intoxicated.</p> <p>14 Do you know if it was an 15 intoxication charge?</p> <p>16 MR. HARP: Object to the form.</p> <p>17 This is information already within the purview 18 of the defendants in this case.</p> <p>19 MR. HOWARD: Well, you know as 20 well I do that's not -- you can object to 21 that, but that's not a discovery objection. 22 I'm just asking her. I mean, it may not be in 23 our records. Who knows? Our records may be</p>

<p style="text-align: right;">Page 45</p> <p>1 lousy.</p> <p>2 MR. HARP: They seem to be</p> <p>3 pretty succinct. She just described exactly</p> <p>4 what your records say.</p> <p>5 MR. HOWARD: Okay. Well, good.</p> <p>6 Then she has a good memory.</p> <p>7 Q. (By Mr. Howard) Any others --</p> <p>8 any other arrests?</p> <p>9 A. The night of the concert.</p> <p>10 Q. Yeah. Okay. So the night of</p> <p>11 the concert and the one that involved an old</p> <p>12 boyfriend. Any others besides Jim?</p> <p>13 A. No. I said cheating boyfriend.</p> <p>14 Q. Okay. Was that sort of what led</p> <p>15 to the alter --</p> <p>16 A. No.</p> <p>17 MR. HARP: Object to the form.</p> <p>18 Q. Was that what led to this</p> <p>19 situation?</p> <p>20 MR. HARP: I'm just objecting to</p> <p>21 the form. You can answer the question.</p> <p>22 Q. Was that what led to the</p> <p>23 situation?</p>	<p style="text-align: right;">Page 47</p> <p>1 payments; or Chapter 7, where they wipe it</p> <p>2 clean?</p> <p>3 A. Chapter 7.</p> <p>4 Q. And was that locally?</p> <p>5 A. Yes.</p> <p>6 Q. Did a lawyer represent you?</p> <p>7 A. Yes.</p> <p>8 Q. Who?</p> <p>9 A. Millican.</p> <p>10 Q. Jacob?</p> <p>11 A. Yes.</p> <p>12 Q. Just the one bankruptcy?</p> <p>13 A. Yes.</p> <p>14 Q. You know, I asked you about</p> <p>15 witnessing or deposing, but I didn't actually</p> <p>16 ask you this: Have you ever sued anybody</p> <p>17 before this lawsuit and other than your</p> <p>18 husband's wrongful death suit?</p> <p>19 A. Yes.</p> <p>20 Q. Who?</p> <p>21 A. The car accident.</p> <p>22 Q. Oh, yeah. You were suing as</p> <p>23 TDH's mom, right?</p>
<p style="text-align: right;">Page 46</p> <p>1 A. Yes.</p> <p>2 Q. Do you know now who any of the</p> <p>3 Rainbow City officers that arrested you on</p> <p>4 that old occasion were?</p> <p>5 A. Say it again.</p> <p>6 Q. Yeah. Do you now -- as we sit</p> <p>7 here today, do you know who it was of the</p> <p>8 Rainbow City police officers that arrested you</p> <p>9 on this older time?</p> <p>10 A. No.</p> <p>11 Q. And I think you just said two</p> <p>12 arrests, and that's all you can remember?</p> <p>13 A. Correct.</p> <p>14 Q. And that's not just Rainbow</p> <p>15 City, but that's anywhere, correct?</p> <p>16 A. Correct.</p> <p>17 Q. Have you ever filed for</p> <p>18 bankruptcy?</p> <p>19 A. Yes.</p> <p>20 Q. When and what kind of</p> <p>21 bankruptcy?</p> <p>22 A. I believe it was 2011 maybe.</p> <p>23 Q. Chapter 13, where you make</p>	<p style="text-align: right;">Page 48</p> <p>1 A. Correct.</p> <p>2 Q. Besides that, any others?</p> <p>3 A. No.</p> <p>4 Q. And have you ever been sued?</p> <p>5 A. No.</p> <p>6 MR. HARP: Can you ask that</p> <p>7 question again?</p> <p>8 MR. HOWARD: Yeah.</p> <p>9 Q. Have you ever been sued?</p> <p>10 MR. HARP: Think about your</p> <p>11 answer, and then answer his question.</p> <p>12 And I assume he is talking about</p> <p>13 credit card debt or anything.</p> <p>14 Q. Yeah, for anything, where you</p> <p>15 got served with a summons and complaint?</p> <p>16 A. Yes.</p> <p>17 Q. Who sued you?</p> <p>18 A. Yes. The -- I mean, there is a</p> <p>19 list of -- on the bankruptcy thing.</p> <p>20 Q. Right.</p> <p>21 A. But I don't have that in front</p> <p>22 of me. I can't recall specifically.</p> <p>23 Q. Fair enough.</p>

	Page 49		Page 51
1	A. Who all was involved.	1	A. No.
2	Q. On the bankruptcy list you are	2	Q. Were you under any medication?
3	talking about --	3	A. Ibuprofen.
4	A. Uh-huh (indicating yes).	4	Q. Okay. But otherwise, insofar as
5	Q. Were there a --	5	any other systemic issues like an ulcer or
6	A. Yes.	6	diabetes or arthritis, do you have any of
7	Q. -- number of suits that had been	7	those kinds of things?
8	brought against you?	8	A. No.
9	A. I'm assuming, yes.	9	Q. Do you have a general physician
10	Q. Okay. Do you remember who any	10	that you go see for aches, pains, flu?
11	of those suing creditors were?	11	A. Yes.
12	A. No.	12	Q. Is it Dr. Kelly?
13	Q. And what you're talking about is	13	A. Yes.
14	people suing you for unpaid money?	14	Q. Do you remember if y'all were
15	A. Correct.	15	seeing -- you and your family -- well, let's
16	Q. Okay. Aside from those types,	16	just say you -- were seeing Dr. Kelly in that
17	have you been sued in any other way, aside	17	way back in 2015?
18	from being sued for unpaid money like --	18	A. It was -- we started going to
19	A. I don't know.	19	see him close to that time, so it might be
20	Q. Ms. Helm, in the last, let's	20	right after or right before.
21	say, five, six years, have you had any	21	Q. If there was someone before him,
22	particular health conditions?	22	who would that have been?
23	A. Yes.	23	A. I believe we went to Quality of
	Page 50		Page 52
1	Q. What kind?	1	Life.
2	A. I had hemorrhoid surgery.	2	Q. Okay. Out here on -- out there
3	Q. And I want to say that TDH	3	in East Gadsden on the --
4	indicated, I believe, that at the time -- that	4	A. Uh-huh (indicating yes).
5	in January of 2015 you were -- you had	5	Q. Piedmont Highway?
6	recently had that kind of surgery?	6	A. Yes.
7	A. Yes.	7	Q. After January 2015, when you
8	Q. Have you had that only once?	8	were arrested at Center Stages, after that,
9	A. Yes.	9	did you see any health care provider for
10	Q. Excuse me. Have you had that	10	anything related to that night?
11	surgery only once?	11	A. Have I?
12	A. Yes.	12	Q. Yes.
13	Q. Any other surgeries in the last	13	A. Yes.
14	five or six years?	14	Q. Okay. Was it Dr. Kelly?
15	A. No.	15	A. Yes.
16	Q. Okay. Are you under any	16	Q. Okay. And for what kind of
17	medication today that might affect your	17	things?
18	memory?	18	A. Anxiety.
19	A. No, no.	19	Q. Okay. More -- less physical,
20	Q. In January 2015 were you under	20	more mental, emotional?
21	any medication or were you under any	21	A. Yes.
22	medication that might affect your memory or	22	Q. Okay. Before 2000 -- before
23	perception?	23	January 16, 2015, had you seen any medical or

<p style="text-align: right;">Page 53</p> <p>1 health care provider for anxiety?</p> <p>2 A. I don't think so.</p> <p>3 Q. Okay. Has Dr. Kelly prescribed</p> <p>4 you any medication about your anxiety -- for</p> <p>5 your anxiety?</p> <p>6 A. Yes.</p> <p>7 Q. What has he prescribed?</p> <p>8 A. Xanax.</p> <p>9 Q. To take as needed?</p> <p>10 A. Yes.</p> <p>11 Q. And is -- do you attribute the</p> <p>12 anxiety that you have told Dr. Kelly about to</p> <p>13 the incident in January 2015?</p> <p>14 A. Yes.</p> <p>15 Q. Describe the anxiety. What</p> <p>16 happens to you?</p> <p>17 A. It's different. Sometimes it</p> <p>18 happens in the middle of the night and like I</p> <p>19 will have nightmares, night terrors kind of</p> <p>20 thing. It would be cold sweating. And then</p> <p>21 sometimes it will be, you know, in a large --</p> <p>22 like at Walmart.</p> <p>23 Q. Right.</p>	<p style="text-align: right;">Page 55</p> <p>1 this for a minute.</p> <p>2 Eating, like my eating is really</p> <p>3 bad. Sometimes I can go a couple of weeks</p> <p>4 without eating food.</p> <p>5 Q. Okay. The manifestation is the</p> <p>6 suppressing of your appetite?</p> <p>7 A. Yes.</p> <p>8 Q. It doesn't make you eat too</p> <p>9 much?</p> <p>10 A. No. It's the opposite.</p> <p>11 Q. But it doesn't make you throw</p> <p>12 up?</p> <p>13 A. I have thrown up.</p> <p>14 Q. From that?</p> <p>15 A. From --</p> <p>16 Q. From anxiety?</p> <p>17 A. Yeah, from feeling just over --</p> <p>18 like I said, it's just an overwhelming</p> <p>19 feeling. It just manifests differently</p> <p>20 depending on the situation or what the trigger</p> <p>21 is. Do you know what I mean?</p> <p>22 Q. Sure. And that's why I'm</p> <p>23 asking. I just want to make sure I know</p>
<p style="text-align: right;">Page 54</p> <p>1 A. Just got to get out of there for</p> <p>2 no apparent reason. You know there's nothing</p> <p>3 wrong, but I just have to get out of there.</p> <p>4 Q. Okay.</p> <p>5 A. Different things like that.</p> <p>6 Q. So other than the -- other than</p> <p>7 that feeling overcoming you, I've got to get</p> <p>8 out of here, do you have any other physical</p> <p>9 manifestations?</p> <p>10 A. As far as my anxiety?</p> <p>11 Q. Yeah. Like does it give you</p> <p>12 headaches or make you faint?</p> <p>13 A. Yeah. It makes me cry sometimes</p> <p>14 uncontrollably for, you know -- like no</p> <p>15 patience, like --</p> <p>16 Q. Agitated? Is that what you were</p> <p>17 about to say?</p> <p>18 A. Just no patience. That's all I</p> <p>19 know to say. It's not -- it doesn't</p> <p>20 necessarily mean I'm agitated. It just</p> <p>21 means --</p> <p>22 Q. You just have no patience?</p> <p>23 A. I just need to walk away from</p>	<p style="text-align: right;">Page 56</p> <p>1 everything you might say at trial about what</p> <p>2 happens to you that you attribute to the</p> <p>3 events of that night.</p> <p>4 A. Yeah.</p> <p>5 Q. I don't want to suggest things</p> <p>6 to you, but you haven't developed a nervous</p> <p>7 tic because of it, correct?</p> <p>8 MR. HARP: Object to the form.</p> <p>9 Q. Anything else physical? And I</p> <p>10 was saying that tongue in cheek.</p> <p>11 But anything physical that you</p> <p>12 see happening to yourself from the anxiety</p> <p>13 that you're talking about?</p> <p>14 A. Do you want me to describe my --</p> <p>15 like every symptom I have or --</p> <p>16 Q. As many as you can.</p> <p>17 A. I pick my face bad. I pick my</p> <p>18 skin, whether it be a mark -- wherever the</p> <p>19 mark is, and I pick it, pick it, pick it,</p> <p>20 nervously.</p> <p>21 Q. With your fingernails?</p> <p>22 A. Yeah. And then the other things</p> <p>23 I told you.</p>

	Page 57		Page 59
1 Q.	Right.	1 down in a line and turned around and put them	
2 A.	No eating. Sometimes no	2 down and walked out. That's what you are	
3 sleeping. Then sometimes I can sleep -- I		3 talking about?	
4 can't wake myself up.		4 Q. Sure. That's what I'm talking	
5 Q.	Right.	5 about. What store?	
6 A.	Overwhelming feeling, you know?	6 A. Like Walmart or wherever. I	
7 And then I get a little emotional, and I don't		7 don't recall specific.	
8 like that.		8 Q. Have you --	
9 Q.	Do you mean emotional when you	9 A. I have left restaurants.	
10 think you really ought not to be that		10 Q. Are these a reaction to men in	
11 emotional in that situation?		11 uniform or policemen in uniform?	
12 A.	Yeah.	12 A. Yes.	
13 Q.	Okay.	13 Q. Or is it just Rainbow City or	
14 A.	Hopelessness many times.	14 just Gadsden?	
15 Suicidal at moments. Depression like, you		15 MR. HARP: Object to the form.	
16 know -- like hopeless, you know, like you just		16 Q. Go ahead. That's what I'm	
17 -- I really have to work hard personally to,		17 asking.	
18 you know, stay positive, keep my head up.		18 A. What question?	
19 Q.	Sure.	19 Q. Anybody that looks like a police	
20 A.	Set an example.	20 officer?	
21 Q.	And I always say that not that	21 A. Police, yes.	
22 that's not enough, but is there anything else?		22 Q. I mean, I'm assuming you	
23 Again, I'm just making sure I		23 identify them because they are in some sort of	
	Page 58		Page 60
1 know what you might say at trial.		1 a uniform?	
2 A.	I have a real phobia of the	2 A. Correct.	
3 police.		3 Q. But you haven't been stopped by	
4 Q.	Have you had any interactions	4 anybody?	
5 with any police since that incident?		5 A. I don't recall that.	
6 A.	I don't think so, no.	6 Q. I mean, a vehicle stop?	
7 Q.	And I understand not necessarily	7 A. They had a check on Noccalula	
8 where you called them or something. Just		8 mountain, and, you know, I have drove through	
9 where they got in your immediate presence?		9 those before.	
10 A.	Well, you know, getting my	10 Q. Right.	
11 license or, you know -- you know, where I		11 A. Check your insurance.	
12 would run into them at a restaurant and them		12 Q. Before January of 2015 did you	
13 coming in the store, you know, or --		13 have any of the same kind of symptoms that you	
14 Q.	Right.	14 have just told me about?	
15 A.	You know, things like that.	15 A. Yes, to a small degree,	
16 Q.	Have there been any -- have any	16 manageable.	
17 of those occasions been -- had a negative		17 Q. Do you know what -- was there	
18 outcome or negative effect on you?		18 anything in particular they stemmed from?	
19 A.	What do you mean?	19 A. It was very far in between.	
20 Q.	Like when they came in the	20 Q. Do you know what medications TDH	
21 store?		21 takes, if any? Presently, let's say?	
22 A.	Yes. Like immediate -- I want	22 A. No.	
23 to get away, like leave -- I have put things		23 Q. Okay. And I ask you that	

<p style="text-align: right;">Page 61</p> <p>1 because frankly she didn't know, so I thought 2 you as her mom might know.</p> <p>3 A. Uh-huh (indicating yes).</p> <p>4 Q. Do you know whether she takes 5 any regularly now?</p> <p>6 A. No.</p> <p>7 Q. You don't know?</p> <p>8 A. I do not.</p> <p>9 Q. Do you have a -- I take it if 10 she is prescribed something -- let's say in 11 the last four or five years -- you would be 12 the one to get that filled?</p> <p>13 A. Correct.</p> <p>14 Q. Correct? Where do you usually 15 do your prescription filling?</p> <p>16 A. Super B and Walgreens.</p> <p>17 Q. Super B in Rainbow City?</p> <p>18 A. Uh-huh (indicating yes).</p> <p>19 Q. And Walgreens in Rainbow City?</p> <p>20 A. Yes, sir.</p> <p>21 MR. HARP: Are you doing okay? 22 Do you need a break?</p> <p>23 THE WITNESS: That would be</p>	<p style="text-align: right;">Page 63</p> <p>1 Q. What did -- what did you do when 2 you went and got her? I mean, did you go to a 3 hospital or doctor or anything?</p> <p>4 A. I can't remember if we went to 5 the hospital that particular time.</p> <p>6 Q. Right.</p> <p>7 A. I hate when I do that. I can't 8 remember.</p> <p>9 Q. Sure. Let me ask it this way.</p> <p>10 A. The second time, yes.</p> <p>11 Q. Okay. Do you remember the 12 circumstances of the second time?</p> <p>13 A. She was in a vehicle and had one 14 in the vehicle, and they had to pull over and 15 call an ambulance.</p> <p>16 Q. Was she driving?</p> <p>17 A. No. She was a passenger.</p> <p>18 Q. She was a passenger?</p> <p>19 A. Yeah.</p> <p>20 Q. Was she like with her friends?</p> <p>21 A. She was with an adult, a friend of mine.</p> <p>22 Q. Okay. And your adult friend</p>
<p style="text-align: right;">Page 62</p> <p>1 good.</p> <p>2 MR. HARP: Can we take a break?</p> <p>3 MR. HOWARD: Yeah.</p> <p>4 (Whereupon, a recess was 5 taken.)</p> <p>6 Q. (By Mr. Howard) Ms. Helm, I want 7 to ask you now about your daughter's seizure 8 issues.</p> <p>9 A. Okay.</p> <p>10 Q. Do you recall the first time you 11 were made aware of your daughter having 12 seizures?</p> <p>13 A. Yes.</p> <p>14 Q. Where was it, or what had 15 happened?</p> <p>16 A. I got a phone call. She was at 17 a barbecue and had a seizure at the barbecue.</p> <p>18 Q. TDH said this was about a year 19 or so after her pedestrian accident.</p> <p>20 A. Close.</p> <p>21 Q. Does that fit with your --</p> <p>22 A. It's close, give or take a 23 couple of months.</p>	<p style="text-align: right;">Page 64</p> <p>1 pulled over and called --</p> <p>2 A. She's a mother. Yeah, she --</p> <p>3 Q. She figured out --</p> <p>4 A. Immediately.</p> <p>5 Q. Figured it out fast?</p> <p>6 A. Yes.</p> <p>7 Q. What hospital?</p> <p>8 A. I believe it was Gadsden 9 Regional.</p> <p>10 Q. Okay. Do you know what if 11 anything they did?</p> <p>12 A. They referred us to a 13 neurologist.</p> <p>14 Q. In town, here in town?</p> <p>15 A. Yes.</p> <p>16 Q. Would that have been 17 Dr. Bogdanova or something like that?</p> <p>18 A. Something like that, yes.</p> <p>19 Bogdanova.</p> <p>20 Q. Bogdanova. But anyway, it's 21 local. It begins with a B?</p> <p>22 A. Yes, sir.</p> <p>23 Q. To your knowledge have you ever</p>

<p style="text-align: right;">Page 65</p> <p>1 had seizures? 2 A. Not to my knowledge. 3 Q. And do you have any information 4 about TDH's father, if he ever had any? 5 A. No. 6 Q. To your knowledge has TDH had 7 any -- do y'all say TDH or TDH? 8 A. It's TDH, like the crown of 9 jewels. 10 Q. Right. But it's pronounced like 11 a capital T, capital R -- 12 A. TDH. 13 Q. That you know of has TDH had a 14 seizure since the night of the concert in 15 January 2015? 16 A. I don't recall. 17 Q. At Gadsden Regional, when you 18 took her on that second occasion, did they -- 19 other than refer you, did they just stabilize 20 her and check her out? 21 A. Yes. 22 Q. She didn't have to be admitted? 23 A. No.</p>	<p style="text-align: right;">Page 67</p> <p>1 Q. Had you -- before this, before 2 your daughter starting having seizures, did 3 you have any familiarity or particular 4 knowledge about seizures? 5 A. No, sir. 6 Q. Have any of your other children 7 had any seizures? 8 A. No, sir. 9 Q. Other than Dr. -- well, strike 10 that. 11 Other than the trip to Gadsden 12 Regional on occasion number two where she 13 was -- where TDH was in the company of your 14 friend, other than that have there been any 15 other hospital visits because of the seizures? 16 A. Yes. 17 Q. When? 18 A. I'm not sure of the date, but 19 she had a seizure in a field on Palace Avenue 20 and was found by a passerby that called an 21 ambulance, and she was taken to Children's. 22 Q. Were you at home on that 23 occasion?</p>
<p style="text-align: right;">Page 66</p> <p>1 Q. And did you take her to 2 Dr. Bogdanova, whatever her name is? 3 A. Yes. 4 Q. Did you attend the sessions? 5 A. Yes. 6 Q. Do you know how long a period of 7 time -- how long a period of time did TDH see 8 Dr. Bogdanova? 9 A. She went to maybe two or three 10 appointments. 11 Q. Was it sort of an ongoing, come 12 every three months unless you have a problem 13 type setup? 14 A. Yes, yes. 15 Q. Did Dr. Bogdanova place her on 16 any medication? 17 A. Yes. 18 Q. Do you know what? 19 A. Topamax. 20 Q. Had you ever, before that time, 21 had any experience or familiarity with 22 Topamax? 23 A. No.</p>	<p style="text-align: right;">Page 68</p> <p>1 A. Yes. 2 Q. I understand she was off walking 3 down the street, correct? 4 A. Correct. 5 Q. Okay. And do you recall any 6 other trips to the hospital for seizures? 7 Well, aside from the night of 8 this incident, when she was taken there by an 9 ambulance, any other trips besides that? 10 A. After January? 11 Q. Well, first, before, and then I 12 will say after. 13 A. I'm unsure of how many hospital 14 visits we had, actually. 15 Q. Okay. 16 A. Honestly. And then after I 17 don't recall her going to a hospital after 18 that. 19 Q. Okay. 20 A. After that for a -- for 21 specifically a seizure. 22 Q. Okay. 23 A. Yeah.</p>

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<p>1 Q. And as far as seizures, then, 2 what I'm hearing is you think there was only 3 one trip to Children's?</p> <p>4 A. Yes.</p> <p>5 Q. And you think there was only one 6 trip to Gadsden Regional, or is that the one 7 you're unsure about?</p> <p>8 A. Correct. Between, I mean, 9 Riverview and Gadsden, I get them mixed up.</p> <p>10 Q. Right. But you don't have any 11 specific memory of Riverview either, do you?</p> <p>12 A. I don't.</p> <p>13 Q. For going for a seizure?</p> <p>14 A. Correct. I remember being at 15 the hospital, but I don't --</p> <p>16 Q. You have three who might have 17 been in the hospital, right?</p> <p>18 A. Yeah.</p> <p>19 Q. Okay. On the -- I will 20 represent to you that we -- we apparently 21 determined yesterday that -- that December -- 22 that January 16, 2015, was a Friday. 23 And assuming that's the case,</p>	<p>1 A. Yes.</p> <p>2 Q. Where they gave her some 3 treatment and observation on the scene?</p> <p>4 A. Yes.</p> <p>5 Q. But didn't have to take her to a 6 hospital?</p> <p>7 A. Right.</p> <p>8 Q. And you didn't take her to the 9 hospital?</p> <p>10 A. They had an IV, hooked her up to 11 an IV, and she -- they had her propped up and, 12 you know, just taking good care of her.</p> <p>13 Q. Right. Do you recall on that 14 occasion any descriptions by anybody that was 15 given to you about how long she had been 16 blacked out and seizing?</p> <p>17 A. I don't recall an amount of 18 time. And TDH is always very disoriented and 19 doesn't have a recollection.</p> <p>20 Q. Right.</p> <p>21 A. She is very confused. I don't 22 remember them giving me an exact minute.</p> <p>23 Q. Sure. Who called you, if you</p>
<p>1 TDH said she had had a seizure on that day?</p> <p>2 A. Uh-huh (indicating yes).</p> <p>3 Q. At the school?</p> <p>4 A. Yes.</p> <p>5 Q. I think on the way out to the 6 soccer field, something at the beginning of 7 soccer practice?</p> <p>8 A. At soccer practice.</p> <p>9 Q. Does that sound right?</p> <p>10 A. Yeah, at soccer practice, yes, 11 sir.</p> <p>12 Q. That didn't result in a trip to 13 the hospital?</p> <p>14 A. No.</p> <p>15 Q. Did they call you?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And you were home?</p> <p>18 A. And an ambulance, yes.</p> <p>19 Q. So they did call -- well, when 20 you say ambulance, I sort of think about 21 transporting to the hospital. But that's not 22 what we are talking about, is it? Are you 23 talking about more of a paramedic?</p>	<p>1 remember?</p> <p>2 A. I believe --</p> <p>3 Q. The coach, or do you know?</p> <p>4 A. I don't remember.</p> <p>5 Q. Okay. She would have been at 6 Southside High School?</p> <p>7 A. Yes, sir.</p> <p>8 Q. The old one or the new one?</p> <p>9 A. They practice at the old field.</p> <p>10 Q. Okay.</p> <p>11 A. The new high school, old field.</p> <p>12 Q. New high school, old field?</p> <p>13 A. Correct.</p> <p>14 Q. And at the time you were at 15 Palace Avenue?</p> <p>16 A. Yes.</p> <p>17 Q. Do you remember, Ms. Helm, 18 whether when they called you her seizure was 19 over or not?</p> <p>20 A. I do not recall.</p> <p>21 Q. When you got there, she was 22 propped up with an IV in her?</p> <p>23 A. Yes.</p>
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¹ Q. So the paramedics beat you to
² the scene?

³ A. Oh, yeah.

⁴ Q. Was it Southside paramedics?

⁵ A. I'm not sure. I'm assuming so,
⁶ but I'm not sure.

⁷ Q. Right. Okay.

⁸ And from your recollection was
⁹ it just one paramedic vehicle, or did it look
¹⁰ like half of the fire department showed up?

¹¹ A. You know, I was so zoned in on
¹² my child, like I --

¹³ Q. Sure, sure.

¹⁴ A. Like everything on the outside
¹⁵ -- I wasn't paying attention.

¹⁶ Q. Tunnel vision?

¹⁷ A. Maybe, yeah.

¹⁸ Q. Sure. But they -- when we are
¹⁹ talking about the old field, we are talking
²⁰ about the old football field, correct?

²¹ A. Actually, the soccer field --
²² there is a football field, and then the soccer
²³ field is on the other side.

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¹ Q. Sort of on the back of the
² property?

³ A. Correct. Closer to McDonald's.

⁴ Q. When you came to the scene,
⁵ observed her with an IV in the arm and sitting
⁶ up, was she coherent yet?

⁷ A. She was still disoriented, a
⁸ little confused, and it took her a minute.
⁹ Even when I got there, she was still trying to
¹⁰ put together what happened.

¹¹ Q. Was she talking -- let me get --
¹² I sort of -- and if so, is that what led you
¹³ to say she was confused, or could you just
¹⁴ tell that she was confused because you're her
¹⁵ mom?

¹⁶ A. No. She -- when I approached
¹⁷ her, she was very -- you know, physically you
¹⁸ could tell that she was very flustered and not
¹⁹ herself.

²⁰ Q. Right.

²¹ A. And then she was just trying to
²² articulate like, mom, what's going on, you
²³ know, and she was confused about like what

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¹ actually just happened -- like she lost a
² minute.

³ Q. Okay.

⁴ A. You know, she was confused by --
⁵ yeah, she was trying to verbally find out what
⁶ was happening.

⁷ Q. Okay. So what I'm hearing is --
⁸ and you tell me if this is right or not -- she
⁹ was trying to articulate, not doing a real
¹⁰ good job of it?

¹¹ A. Right.

¹² Q. Okay. But enough to where you
¹³ realized she -- she wasn't just babbling
¹⁴ incoherently, correct?

¹⁵ A. No. The coach and the medical
¹⁶ people were the ones that were telling me what
¹⁷ happened.

¹⁸ Q. Right.

¹⁹ A. She was just listening and
²⁰ trying to explain whatever. She was just
²¹ trying to figure it out.

²² Q. Okay.

²³ A. You know, like, mom, what's

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¹ happening?

² Q. Right. Looking at you, looking
³ at them?

⁴ A. Yeah, just, you know --

⁵ Q. Sure.

⁶ A. Everybody looking at her.

⁷ Q. Sure. How long after you
⁸ arrived there -- about how long did you stay
⁹ at the scene?

¹⁰ A. Maybe half an hour, for lack of
¹¹ --

¹² Q. I mean, I assume --

¹³ A. I didn't look at my watch or
¹⁴ anything. When she -- it took her, you know,
¹⁵ a little while to -- they were just very
¹⁶ courteous about making sure she was coherent.

¹⁷ Q. Right.

¹⁸ A. And understood what day it was
¹⁹ and what actually happened and so on and so
²⁰ forth.

²¹ Q. Do you remember if the other
²² players resumed practice?

²³ A. No, they didn't.

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<p>1 Q. Did the coach make them go back 2 out there?</p> <p>3 A. No.</p> <p>4 Q. They stopped?</p> <p>5 A. Yeah.</p> <p>6 Q. And did y'all -- did you and 7 your daughter and the coaches and paramedics 8 stay in that one place until you left?</p> <p>9 A. Yes.</p> <p>10 Q. Y'all didn't have to go inside 11 to the locker room or something like that?</p> <p>12 A. She was --</p> <p>13 MR. HARP: Just answer his 14 question.</p> <p>15 THE WITNESS: What did you say?</p> <p>16 Q. I don't know what the weather 17 was. I can imagine a situation where you 18 moved to some other sheltered location --</p> <p>19 A. No.</p> <p>20 Q. -- before you left?</p> <p>21 A. No. She -- from my 22 understanding, it was right where it happened.</p> <p>23 Q. Okay.</p>	<p>1 A. Yes, sir.</p> <p>2 Q. And I guess I was asking if 3 y'all left and the paramedics left at about 4 the same time, if you remember?</p> <p>5 A. I don't recall.</p> <p>6 Q. Okay.</p> <p>7 A. Yeah.</p> <p>8 Q. Did they make any suggestion to 9 you about getting her further medical 10 treatment that evening?</p> <p>11 A. We just discussed -- they asked 12 me her medicals, what's been going on with 13 her.</p> <p>14 Q. Right.</p> <p>15 A. And I explained to them that 16 this was -- she'd had them before and we were 17 under a doctor's care.</p> <p>18 Q. Right.</p> <p>19 A. They just said to follow up with 20 her neurologist, and if she felt, you know, 21 ill after that point --</p> <p>22 Q. Right.</p> <p>23 A. -- to go directly to the</p>
Page 78	Page 80
<p>1 A. We stayed exactly at that spot.</p> <p>2 Q. And y'all stayed at that spot?</p> <p>3 A. At that spot.</p> <p>4 Q. What if anything did the 5 paramedics tell you about what to do from that 6 point forward?</p> <p>7 A. Just to keep her from harming 8 herself and holding her, cradling her head.</p> <p>9 Q. But I mean by time they left, 10 was she on her feet?</p> <p>11 A. No -- oh, I'm trying to think 12 when she stood up.</p> <p>13 She sat down the whole time with 14 the IV until, like I said, she, you know, 15 was -- knew what day it was and all that.</p> <p>16 Q. Right.</p> <p>17 A. And was feeling -- whatever.</p> <p>18 And when she got up, we immediately left.</p> <p>19 Q. I guess what I'm getting to is 20 I'm assuming the paramedics would have been 21 the ones to take out the IV?</p> <p>22 A. Yeah.</p> <p>23 Q. Right.</p>	<p>1 emergency room.</p> <p>2 Q. And at that time she was still 3 under Dr. Bogdanova's care?</p> <p>4 A. No.</p> <p>5 Q. Had she moved to another doctor?</p> <p>6 A. Yes.</p> <p>7 Q. Who?</p> <p>8 A. Dallas.</p> <p>9 Q. She said Russell.</p> <p>10 A. That's it, Dallas Russell.</p> <p>11 Q. Dallas Russell.</p> <p>12 A. His first name seems like a last 13 name so I get it confused.</p> <p>14 Q. There is another Dallas doctor 15 in town also; interestingly enough,</p> <p>16 And to your knowledge at the 17 time was she continuing to be under the -- on 18 the Topamax medication?</p> <p>19 A. Yes.</p> <p>20 Q. Is that something that she took 21 every day?</p> <p>22 A. Yes.</p> <p>23 Q. It's an everyday kind of thing?</p>

<p style="text-align: right;">Page 81</p> <p>1 A. Yes.</p> <p>2 Q. To your knowledge had she taken 3 her dose of Topamax that day?</p> <p>4 A. To my knowledge, yes.</p> <p>5 Q. So did y'all then go home?</p> <p>6 A. Yes. I think we stopped and got 7 something to drink, you know, and then went 8 home.</p> <p>9 Q. Sure.</p> <p>10 A. She want to bed.</p> <p>11 Q. We have mentioned a couple of 12 occasions of her seizures, and you were 13 actually called to the scene.</p> <p>14 Were there other occasions where 15 you were present when she went into her 16 seizure?</p> <p>17 A. No.</p> <p>18 Q. Okay. Were there any other 19 occasions --</p> <p>20 A. Except the night of the concert.</p> <p>21 Q. Except the night of the concert.</p> <p>22 A. I witnessed her doing that.</p> <p>23 Q. Before the concert, were there</p>	<p style="text-align: right;">Page 83</p> <p>1 how long her seizure was lasting. It was un 2 -- I didn't -- I thought it was something like 3 a faint, you know?</p> <p>4 Q. Supposed to happen --</p> <p>5 A. Happen and be over with.</p> <p>6 Q. Right.</p> <p>7 A. And, no. She was seizing a long 8 time.</p> <p>9 Q. On that occasion was she still 10 seizing when the medics came?</p> <p>11 A. Yes, yes.</p> <p>12 MR. HARP: You are anticipating, 13 and that's fine.</p> <p>14 THE WITNESS: Okay.</p> <p>15 MR. HARP: Let him finish so 16 we'll have a clean record, okay?</p> <p>17 Q. Okay. They came, and she was 18 still seizing on that occasion?</p> <p>19 A. Yes.</p> <p>20 Q. What if anything did you see 21 them do insofar as directing their actions 22 towards her seizing body? What measures did 23 you see them take, if any?</p>
<p style="text-align: right;">Page 82</p> <p>1 any other occasions where you got to the scene 2 and she was still in the midst of a seizure?</p> <p>3 A. Yes.</p> <p>4 Q. Besides the concert?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Is what you told me 7 about, like at the soccer field, do you 8 consider that to be in the midst of a seizure?</p> <p>9 A. No.</p> <p>10 Q. Okay. What did you see? Where 11 were you and so forth?</p> <p>12 A. It was the time that she had the 13 seizure in the field and the ambulance was 14 called to take her to Children's.</p> <p>15 Q. Right.</p> <p>16 A. When the people found her, and 17 then when I got there she was seizing. And 18 she seized for literally 20 minutes. Like I 19 didn't watch my clock, but I was so concerned 20 that I thought I didn't -- I have never 21 experienced it so --</p> <p>22 Q. Right.</p> <p>23 A. I was very, very disturbed about</p>	<p style="text-align: right;">Page 84</p> <p>1 A. I just remember them getting 2 equipment out of the back of the -- and asking 3 me a lot of questions, getting the gurney out. 4 I don't specifically remember what steps they 5 did.</p> <p>6 Q. Right.</p> <p>7 A. I just remember them getting the 8 equipment out and gurney out, and they came to 9 her. And she had, you know, spit --</p> <p>10 Q. Foaming and so forth?</p> <p>11 A. Foaming, yeah. And she was -- 12 you know, she had dirt all over her. So I 13 don't -- there was a lot going on.</p> <p>14 Q. Sure. And here is why I'm 15 asking: The length of her seizure was 16 disturbing to you?</p> <p>17 A. Yeah.</p> <p>18 Q. Right.</p> <p>19 A. As a mother, yes.</p> <p>20 Q. Sure. And as a father, I can 21 imagine, for example, that if I were sitting 22 there watching my son have a seizure and the 23 paramedics came up and didn't make everything</p>

<p style="text-align: right;">Page 85</p> <p>1 right, the way they do -- the paramedics show 2 up and everything is great. And they show up 3 -- if this would have happened to me, I would 4 think it would -- it would be odd.</p> <p>5 Do you have that recollection of 6 the paramedics coming up and perhaps telling 7 you we have just got to let her sit there, 8 anything to that effect?</p> <p>9 MR. HARP: Object to the form.</p> <p>10 You can answer.</p> <p>11 Q. It's a bad question, but if you 12 understand, you can answer.</p> <p>13 A. Say it again.</p> <p>14 Q. In other words, do you have a 15 recollection that the paramedics arrived and 16 then the seizing continued despite the 17 paramedics arriving?</p> <p>18 A. Oh, yeah. Them being there, not 19 there, her seizure continued. They were just 20 letting her -- you know, you just have to 21 allow it. There's nothing you can do about 22 like trying to stop it.</p> <p>23 Q. Stop it, right.</p>	<p style="text-align: right;">Page 87</p> <p>1 experience.</p> <p>2 Q. Like she is staring off into 3 space?</p> <p>4 A. Correct. And she was just not 5 there. Her eyes were open. And foam was 6 coming out, and she was breathing really 7 labored, very -- it was really scary.</p> <p>8 Q. Audible, like you could really 9 hear the breathing?</p> <p>10 A. Yeah. It was scary.</p> <p>11 Q. When you arrived on that scene 12 was she in what I would call a fetal type 13 position, on the side, arms crouched up?</p> <p>14 A. Well, I don't want to -- know 15 what position, what you would call it. But 16 she was -- I just remember her hands, and her 17 legs would try to come, you know -- she was 18 just contorted (indicating).</p> <p>19 Q. Contorted?</p> <p>20 A. For lack of a better word.</p> <p>21 Q. Was she flat on her back, or do 22 you remember?</p> <p>23 A. She was on her side or her back,</p>
<p style="text-align: right;">Page 86</p> <p>1 A. No. You just have to ride the 2 ride.</p> <p>3 Q. And did you see them, for 4 example, cradle her head?</p> <p>5 A. I did that.</p> <p>6 Q. You were already doing that?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And I know this is an obvious 9 question, but why were you doing that?</p> <p>10 A. Well, when I got there one of 11 the neighbors was trying to -- they were 12 yelling do this -- she is going to swallow 13 her -- everybody was saying -- they were 14 strangers, and I told everybody to back up and 15 let her breathe because she was, you know, 16 moving and --</p> <p>17 Q. Right.</p> <p>18 A. I just wanted her to have some 19 air. And I sat there and was talking to her, 20 trying to call her back. Her eyes were wide 21 open, and she was not there. Like, I don't 22 know. It's almost like a zombie kind of -- do 23 you know what I mean? It's just a weird</p>	<p style="text-align: right;">Page 88</p> <p>1 one.</p> <p>2 Q. In any event, you got there and 3 cradled head?</p> <p>4 A. She was covered in dirt by the 5 time I got there.</p> <p>6 MR. HARP: Did you understand 7 his question? His question was when you got 8 there did you cradle her head?</p> <p>9 THE WITNESS: Yes, when I got 10 there.</p> <p>11 Q. And did you see dirt on her?</p> <p>12 A. Yes.</p> <p>13 Q. How do you think the dirt got on 14 her? Was the dirt on her face?</p> <p>15 A. It seemed to be like she was 16 just -- it was everywhere, you know, was --</p> <p>17 Q. As if she had rolled in dirt?</p> <p>18 A. Yeah, like a dog when they get 19 in the dirt?</p> <p>20 Q. Yes.</p> <p>21 A. Kind of like that.</p> <p>22 Q. And I guess what I'm getting 23 to is --</p>

	Page 89		Page 91
1	A. She was in the dirt, not the	1	and then flail?
2	grass.	2	A. Yeah. There was no, like,
3	Q. Oh, okay.	3	rhythm to it or anything. It was just an odd
4	A. She was in a dirt -- where the	4	-- just a very odd experience, unnatural.
5	cars come through.	5	Q. I understand you were
6	Q. Yeah.	6	reassuring. Doing what a mother would do,
7	A. There was no grass there. So	7	it's going to be all right, honey, that sort
8	she was in like dirt, dusty dirt.	8	of thing, caressing her hair, talking to her?
9	Q. Hard dirt?	9	A. I was just talking to her.
10	A. No. It was dusty.	10	Q. Sure.
11	Q. Dusty dirt?	11	A. Calling her name over and over.
12	A. Yeah.	12	Q. Did she talk back?
13	Q. And from what you said, I'm	13	A. No.
14	assuming there was dirt on her front and her	14	Q. Did she make any noises, like
15	back; is that correct?	15	talking?
16	A. I just remember thinking -- you	16	A. Sometimes, yeah.
17	know, noticing dirt, her being dirty. I don't	17	Q. Did you think she was --
18	-- it wasn't like is it on the foot, is it on	18	A. Like mumbling. Like, you know,
19	the finger, is it on the forehead, you know.	19	like she was -- she would -- yeah.
20	Q. Sure.	20	Q. Yeah, that's what I'm asking.
21	A. I wasn't -- you know, I was just	21	Are we talking mumbling the way
22	concerned about her -- you know, what was	22	people do in their sleep sometimes?
23	happening.	23	MR. HARP: Object to the form.
	Page 90		Page 92
1	Q. Sure.	1	A. I don't --
2	A. I just remember it being dirty	2	Q. Or rather, did you think she was
3	-- dusty dirt.	3	actually trying to communicate with you?
4	Q. And when you began cradling her	4	A. I don't think it was -- I don't
5	head, she was still convulsing?	5	know. I'm not a doctor.
6	A. Yes.	6	Q. I'm asking a mother.
7	Q. Including her head?	7	A. She was just making noises. And
8	A. No.	8	I was calling her name because I wanted her to
9	Q. Is that because you were holding	9	know I was there.
10	it?	10	Q. Right.
11	MR. HARP: Object to the form.	11	A. She was just really at a loss of
12	Q. You can answer.	12	what was happening, you know? I just remember
13	A. I'm not sure why. You know, I	13	being -- calling her name over and over and
14	just noticed that her extremities were moving.	14	telling her, like you said, it was okay and
15	Q. Uh-huh (indicating yes).	15	the paramedics were coming.
16	A. And her head was just doing that	16	Q. Did you get the impression that
17	(indicating). Like, it wasn't thrashing. It	17	she was hearing you?
18	was doing this kind of movement. But her body	18	A. No. She was in -- not that, you
19	was doing this (indicating).	19	know -- no, she wasn't.
20	Q. A lot of movement?	20	Q. Or if not hearing you,
21	A. Not a -- like it would do it,	21	understanding you?
22	and then she would do this (indicating).	22	A. Yeah. It was like -- I don't --
23	Q. She would flail and then draw up	23	I can't speak for her, and we didn't discuss

	Page 93	Page 95
1 it. So I don't know if she heard me.		1 the paramedics arriving, getting the gurney
2 Q. Right. But your impression is		2 out and so forth, did you see them tend to her
3 what I'm asking for?		3 body in any way? Like an IV or --
4 A. I have no clue.		4 A. That's what I'm thinking about
5 Q. Okay. To be more specific, did		5 but --
6 you have any -- did you yourself recognize any		6 Q. Okay.
7 of her verbalizing as being communicating with		7 A. I don't recall if it happened on
8 you?		8 the ground or in the -- once they got her up.
9 MR. HARP: Object to the form.		9 Q. Right.
10 Q. You can answer.		10 A. I don't remember.
11 A. After the body stopped shaking?		11 Q. You don't remember an IV either
12 Q. Right.		12 way? I don't know if they put one --
13 A. She just started to blink, and		13 A. I don't know.
14 she couldn't -- she tried to talk, but it was		14 Q. But you don't remember one is
15 mumbling. Like, it took her, you know -- and		15 what I'm getting to?
16 she still wasn't like coherent or anything		16 A. No, I don't remember.
17 when the paramedics got there. And she wasn't		17 Q. That was the field occasion
18 talking or -- I mean, like we are talking		18 y'all went on to Children's, correct?
19 here.		19 A. Yes.
20 Q. Correct.		20 Q. Did y'all go directly to
21 A. She was making noises but not --		21 Children's, or did you go to Gadsden Regional
22 Q. But whether she was actually		22 first?
23 trying to speak or not, you don't know?		23 A. Directly to Children's.
	Page 94	Page 96
1 A. Yeah, I have no clue. I don't		1 Q. Okay. Via that same paramedic,
2 know.		2 or do you know?
3 Q. Okay. I'm asking this way --		3 A. I don't remember.
4 I'm asking what I'm about to ask this way		4 Q. Up to that point, Ms. Helm, had
5 because of what you just said.		5 you received any instructions or guidelines,
6 A. Called it a catatonic state.		6 things to do if you come up -- if she is
7 MR. HARP: Is there a question		7 seizing?
8 pending?		8 A. I did. I'm just trying to
9 MR. HOWARD: You can tell her.		9 figure out if it was verbally or with
10 (Whereupon, a discussion was		10 paperwork.
11 held off the record.)		11 Q. Right, right.
12 Q. (By Mr. Howard) I'm asking you		12 A. You know, like the care --
13 this for this reason: When you said something		13 Q. When they discharge you from the
14 about when the paramedics got there -- and it		14 hospital, they give you some papers?
15 sounded like to me there was a sequence		15 A. I just didn't know which one it
16 element here, that she had stopped physically		16 is, but I --
17 convulsing by the time the paramedics got		17 Q. A minute ago you said something
18 there.		18 -- when you got there you cleared people out,
19 A. After.		19 let her breathe, and you had said they were
20 Q. Is that right?		20 saying something about her swallowing her
21 A. After.		21 tongue?
22 Q. Okay. It was after.		22 A. Yeah. Some woman was saying you
23 Other than -- well, other than		23 need to put a spoon in her mouth. And I said

<p style="text-align: right;">Page 97</p> <p>1 everybody just back up. 2 Q. Right. And at that time, you 3 knew better than that, correct, or did you? 4 MR. HARP: Object to the form. 5 A. I can't recall. 6 Q. That's what I'm asking. Did you 7 know if -- did you know that, no, a spoon in 8 the mouth is not a good idea? 9 A. I believe I did know that. 10 Q. Well, you didn't put a spoon in 11 her mouth, did you? 12 A. No. 13 Q. You didn't make her bite a stick 14 or anything? 15 A. Correct. 16 Q. Like I said, you had had no 17 prior experience with seizures before your 18 child started? 19 A. Correct. 20 Q. Do you remember if any of those 21 instructions, either verbally or on paper, had 22 mentioned preventing her from hitting her head 23 backwards?</p>	<p style="text-align: right;">Page 99</p> <p>1 between y'all going home and her going to the 2 concert. 3 A. What do you want to know? 4 Q. Well, I didn't know how to ask a 5 better question than to say: What did you do 6 when you got home? Did you put her to bed? 7 Did you go to bed? Did y'all eat? 8 A. I was already -- still, you 9 know, in bed, you know, healing or whatever. 10 So we got home, and we got her to take a nap. 11 Q. Okay. 12 A. To relax. 13 Q. That was from your surgery, 14 hemorrhoid surgery? 15 A. Yes, sir. 16 Q. Do you remember how long before 17 -- this was January 16. 18 Do you remember how long before 19 this you had had that surgery? 20 A. In December. 21 Q. Like during the holidays? 22 A. Yeah. 23 Q. That's when a lot of people have</p>
<p style="text-align: right;">Page 98</p> <p>1 A. Yes. 2 Q. Okay. Are there any other 3 occasions -- were there any other occasions 4 when arrived and the seizure was still 5 ongoing? 6 A. This concert. 7 Q. The concert. Okay. But other 8 than concert and field, you don't think there 9 are any others? 10 A. Correct. 11 Q. Okay. Now, there were other 12 occasions when she had had a seizure, right? 13 A. Yes, sir. 14 Q. Okay. I sort of departed from 15 where I had asked you about the day of -- the 16 day of the concert. And we were at the point 17 where y'all went home from the Southside 18 soccer field? 19 A. Yes. 20 Q. Okay. Obviously, she went to 21 the concert later because that's what 22 happened. We know that. 23 So tell me about the time period</p>	<p style="text-align: right;">Page 100</p> <p>1 stuff. 2 A. It was before the holidays. 3 Q. Okay. As far as you know was 4 your recuperation from that surgery normal, 5 typical? 6 MR. HARP: Object to the form. 7 Q. Normal and typical are difficult 8 but -- 9 A. I have no clue, but it was 10 horrible. 11 Q. Well, I'm sure. 12 A. I wouldn't recommend it. 13 Q. Who was your physician for that? 14 A. One of the Newman brothers. 15 Q. And was there another doctor who 16 sent you to the Newmans to actually do the 17 surgery, a gastroenterologist or -- 18 A. I don't recall. I don't recall 19 how they were referred to me. 20 Q. I guess it could have been from 21 QHC. You don't know how you got to the Newmans? 22 A. I don't recall really. 23 Q. The reason I ask that is</p>

<p style="text-align: right;">Page 101</p> <p>1 typically they are cutters, but they are 2 usually cutters when somebody sends -- I mean, 3 an internal problem, I would not think they 4 were your number one doctor for your internal 5 problem. They are just cutters. So I'm 6 asking you if you know who the number one 7 doctor was?</p> <p>8 A. No.</p> <p>9 Q. Okay. Did Newman -- whoever 10 Newman prescribe you medication following that 11 surgery?</p> <p>12 A. Yes.</p> <p>13 Q. Do you remember what it was?</p> <p>14 A. It was a pain medicine.</p> <p>15 Q. Do you remember whether you were 16 still taking that pain medicine on the night 17 of the concert?</p> <p>18 A. I don't believe so.</p> <p>19 Q. During the time -- during that 20 time period, which would have been, let's say, 21 the Christmas season of '14 -- November, 22 December, and early January '15, were you 23 doing your housekeeping business?</p>	<p style="text-align: right;">Page 103</p> <p>1 it was going to be and so forth?</p> <p>2 A. Yes.</p> <p>3 Q. Did you give your permission for 4 her to go?</p> <p>5 A. Yes.</p> <p>6 Q. Were you aware of how she was 7 been transported to it?</p> <p>8 A. Yes.</p> <p>9 Q. How was that?</p> <p>10 A. With her friends.</p> <p>11 Q. Was it [REDACTED], or do you remember?</p> <p>12 I don't know.</p> <p>13 MR. HARP: Object to the form.</p> <p>14 Q. Do you know who the friends 15 were?</p> <p>16 A. Yes.</p> <p>17 Q. Who were they?</p> <p>18 A. [REDACTED] and [REDACTED]</p> <p>19 Q. Was [REDACTED] [REDACTED]'s boyfriend?</p> <p>20 A. Yes.</p> <p>21 Q. Did [REDACTED] -- to your knowledge, 22 did [REDACTED] and [REDACTED] know that she had a 23 seizure earlier that day?</p>
<p style="text-align: right;">Page 102</p> <p>1 A. No.</p> <p>2 Q. During that time were you 3 working at any of the other locations you told 4 me about?</p> <p>5 A. No.</p> <p>6 Q. So in other words, you didn't 7 have to take off from work for the surgery?</p> <p>8 A. No.</p> <p>9 Q. When did you first become aware 10 that TDH intended to go to that concert?</p> <p>11 A. Say that again.</p> <p>12 Q. Yeah. When did you first become 13 aware that TDH had the intention of going to 14 the -- is it Christopher Gates, Chris Gates?</p> <p>15 MR. STUBBS: Kevin Gates.</p> <p>16 Q. Kevin Gates concert?</p> <p>17 A. I don't know exactly the time.</p> <p>18 Just later we discussed it after she rested.</p> <p>19 Q. Okay. Did you know who Kevin 20 Gates was?</p> <p>21 A. No.</p> <p>22 Q. Were you made aware of the 23 general details, like where it was, what time</p>	<p style="text-align: right;">Page 104</p> <p>1 A. Yes.</p> <p>2 Q. And was the plan at that time 3 for TDH to come home after the concert?</p> <p>4 A. Yes.</p> <p>5 Q. Did you have any concern about 6 the environment of the concert and its effect 7 on TDH?</p> <p>8 A. Explain that.</p> <p>9 Q. Well, did you know Kevin Gates 10 was a rapper?</p> <p>11 A. No.</p> <p>12 Q. Did you expect for -- you knew 13 this was going to be at Center Stages?</p> <p>14 A. Yes.</p> <p>15 Q. Have you ever been to a program 16 at Center Stages?</p> <p>17 A. I have been there one time.</p> <p>18 Q. Was it for a musical 19 performance?</p> <p>20 A. I can't remember if it was 21 church -- yeah, I don't know.</p> <p>22 Q. Did you consider that the music 23 would be being played very loudly at the</p>

<p style="text-align: right;">Page 105</p> <p>1 concert?</p> <p>2 MR. HARP: Object to the form.</p> <p>3 Q. You can answer.</p> <p>4 A. I would assume all concerts are</p> <p>5 loud.</p> <p>6 MR. HARP: I don't want you to</p> <p>7 assume. Do you know?</p> <p>8 Q. Have you been to concerts</p> <p>9 before?</p> <p>10 A. I have been to a concert, and it</p> <p>11 was loud.</p> <p>12 Q. You were aware of how big Center</p> <p>13 Stages was?</p> <p>14 A. No.</p> <p>15 Q. You knew it wasn't a stadium?</p> <p>16 A. Yes.</p> <p>17 Q. And you knew it was an enclosed</p> <p>18 hall, music hall?</p> <p>19 A. I don't know what that means.</p> <p>20 What you consider a music hall either.</p> <p>21 Q. Sure. You had been there</p> <p>22 before?</p> <p>23 A. Yes.</p>	<p style="text-align: right;">Page 107</p> <p>1 you know, I didn't understand what -- there</p> <p>2 was -- I didn't understand why she was having</p> <p>3 them. You know what I mean?</p> <p>4 Q. Sure. Before you gave your</p> <p>5 permission for her to go, was there any</p> <p>6 argument between you about whether she would</p> <p>7 go or not?</p> <p>8 A. No.</p> <p>9 Q. Or about -- in other words, did</p> <p>10 she have to argue you into it?</p> <p>11 MR. HARP: Object to the form.</p> <p>12 Q. You can answer.</p> <p>13 A. An argument, no, but we did</p> <p>14 discuss it. We had one back and forth about,</p> <p>15 you know, my concerns and I'm -- you know, we</p> <p>16 talked it out.</p> <p>17 Q. Okay. Is it fair to say that</p> <p>18 there was initial disagreement as to her</p> <p>19 going?</p> <p>20 A. I don't want to say</p> <p>21 disagreement. It was just I had concerns</p> <p>22 about -- yeah, I wanted to make sure she was</p> <p>23 okay.</p>
<p style="text-align: right;">Page 106</p> <p>1 Q. But you don't remember for what?</p> <p>2 A. I had been there before, but I</p> <p>3 don't remember if it was before they turned it</p> <p>4 into Center Stages, because it was something</p> <p>5 else, right? And I'm just kind of like -- I</p> <p>6 can't remember exactly.</p> <p>7 Q. Sure. Fair enough.</p> <p>8 A. They had remodeling done so I</p> <p>9 don't remember.</p> <p>10 Q. You had been in the building</p> <p>11 before?</p> <p>12 A. Correct.</p> <p>13 Q. Okay. Did it concern you that</p> <p>14 there would be flashing lights?</p> <p>15 MR. HARP: Object to the form.</p> <p>16 Q. You can answer.</p> <p>17 A. That didn't -- I didn't think</p> <p>18 about that.</p> <p>19 Q. Did her going to the concert</p> <p>20 give you any concern about her having a</p> <p>21 seizure at the concert?</p> <p>22 A. As a mother, I was concerned</p> <p>23 because we didn't know what was triggering --</p>	<p style="text-align: right;">Page 108</p> <p>1 Q. After they departed, what did</p> <p>2 you do?</p> <p>3 A. Stayed in the bed.</p> <p>4 Q. Okay. And did you stay in bed</p> <p>5 until at some point you were made aware of</p> <p>6 what was going on at Center Stages?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And what made you aware of what</p> <p>9 was going on at Center Stages?</p> <p>10 A. I got a phone call.</p> <p>11 Q. Do you know from whom?</p> <p>12 A. I do not remember.</p> <p>13 Q. On your land line or on a cell</p> <p>14 phone?</p> <p>15 A. On my cell phone.</p> <p>16 Q. Do you know whether it was</p> <p>17 someone that you would expect to have your</p> <p>18 cell phone number, like your daughter or</p> <p>19 somebody, or was it a stranger?</p> <p>20 A. That wasn't even -- I didn't</p> <p>21 think about that.</p> <p>22 Q. I understand.</p> <p>23 A. I just got a phone call, she's</p>

<p style="text-align: right;">Page 109</p> <p>1 having a seizure at the concert, can I just -- 2 I didn't think twice about.</p> <p>3 Q. In any event, you don't know who 4 it was?</p> <p>5 A. I don't recall.</p> <p>6 Q. Okay. That's fair enough.</p> <p>7 What if anything did you do 8 next?</p> <p>9 A. Got my keys and my slippers and 10 went and got in the car and went across the 11 highway.</p> <p>12 Q. How were you dressed at the 13 time?</p> <p>14 A. Pajamas.</p> <p>15 Q. Was the weather cold?</p> <p>16 Let me back up. Did you have to 17 put on a coat?</p> <p>18 A. I did not have a coat.</p> <p>19 Q. Do you have any recollection 20 from that evening of the weather being cold or 21 you being cold? Does that stand out in your 22 mind at all?</p> <p>23 A. That's not even a thought of</p>	<p style="text-align: right;">Page 111</p> <p>1 situation and seeing a definite group of 2 people and thinking to myself that must be my 3 daughter because I know she is having a 4 seizure here and -- or were you able to 5 actually see her body?</p> <p>6 MR. HARP: Object to the form.</p> <p>7 Q. You can answer.</p> <p>8 A. First, all I -- when I came 9 towards the lobby, I just saw a crowd of 10 officers on top of her and her seizing.</p> <p>11 Q. Could you -- I know that we know 12 now that was definitely her, right?</p> <p>13 A. Uh-huh (indicating yes).</p> <p>14 MR. HARP: Yes?</p> <p>15 THE WITNESS: Yes. I'm sorry.</p> <p>16 MR. HARP: That's okay.</p> <p>17 Q. And it's very logical to 18 conclude that if somebody has told me my 19 daughter is having a seizure and I come and 20 see officers holding somebody on the ground 21 that that's my daughter. Do you follow me?</p> <p>22 A. Yeah, I guess.</p> <p>23 Q. Do you follow what I'm saying,</p>
<p style="text-align: right;">Page 110</p> <p>1 mine.</p> <p>2 Q. I understand. Palace Avenue is 3 not very far from Center Stages, correct?</p> <p>4 A. Correct.</p> <p>5 Q. Yeah. Okay. When you got 6 there, where did you park and what did you see 7 when you walked up?</p> <p>8 A. I pulled over to the right, 9 right before Center Stage in the front.</p> <p>10 Q. Right.</p> <p>11 A. And proceeded to walk to the 12 front, to the entrance. And she was -- I saw 13 her at a distance.</p> <p>14 Q. Right.</p> <p>15 A. And she was having a seizure on 16 the floor.</p> <p>17 Q. Could you see that -- well, let 18 me back up. Was there a crowd of people 19 around her?</p> <p>20 A. Yes. Not around her. A crowd 21 -- I wasn't -- it was just a lot of people.</p> <p>22 Q. Sure. Here is why I'm asking: 23 I can imagine seeing -- coming up on a</p>	<p style="text-align: right;">Page 112</p> <p>1 anyway?</p> <p>2 A. Yeah, I can see that.</p> <p>3 Q. Is that what you concluded, or 4 were you able to actually see that, yes, 5 that's my daughter?</p> <p>6 A. I could tell it was my daughter 7 because --</p> <p>8 Q. Right.</p> <p>9 A. I know what she looks like.</p> <p>10 Q. Okay.</p> <p>11 A. Her feet, her -- what she was 12 wearing.</p> <p>13 Q. Sure.</p> <p>14 A. And, yeah.</p> <p>15 Q. Okay. So, I mean, there was a 16 visible identification in your mind, oh, yeah, 17 that is my daughter?</p> <p>18 A. Yeah.</p> <p>19 Q. Okay.</p> <p>20 A. Her feet.</p> <p>21 Q. What was happening with her?</p> <p>22 A. I saw her legs and feet moving.</p> <p>23 Q. Moving, like a convulsing,</p>

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1 seizing moving?	1 ground so quickly.
2 A. Yes, an unnatural way, you know,	2 Q. Right. And that's -- in other
3 like -- say that again?	3 words, you were sort of -- your view of the
4 Q. I think you answered. And there	4 situation -- your observing of it was
5 were -- did you see men holding on to her?	5 interrupted?
6 A. Yeah, holding her down.	6 A. Yes.
7 Q. Holding her down?	7 MR. HARP: Object to the form.
8 A. Like physically on top of her.	8 Q. And what was it interrupted by?
9 They weren't holding her like (indicating).	9 A. An officer knocked me to the
10 They were on -- actually, body, knees in her	10 ground.
11 body.	11 Q. Did you see it coming?
12 Q. In such a way as to be using	12 A. No.
13 their weight to push her downward?	13 Q. Do you have any recollection
14 A. Correct, correct.	14 that you had seen that -- the person who
15 Q. Okay. Do you know how many	15 knocked you down before being knocked down?
16 there were?	16 A. No. I was focused, looking at
17 A. Yes.	17 my daughter.
18 Q. How many?	18 Q. Sure. Okay. Other than the
19 A. Two. One on each leg.	19 officers pinning her to the ground -- is that
20 Q. Okay.	20 fair? Well, holding -- pushing her down on
21 A. In the middle, on each side, and	21 the ground is what you said a moment ago. Can
22 each had her like this (indicating).	22 we use that term?
23 Q. Arms outward?	23 A. Yeah.
Page 114	Page 116
1 A. Yes, sir. And on her neck.	1 Q. Okay. Other than that and other
2 Q. Okay. Two on legs, two on arms,	2 than hearing those officers loudly yelling at
3 one at neck?	3 her, did you see them do anything else before
4 A. Then two in the middle too.	4 you got knocked to the ground?
5 Like, they were holding her body down	5 A. She -- I called -- I said that's
6 (indicating).	6 my daughter, she's having a seizure. And when
7 Q. Okay. By count, I'm counting	7 I got to the word seizure, that's when they --
8 seven. Is that accurate?	8 the officer knocked me down.
9 MR. HARP: Object to the form.	9 Q. Okay.
10 A. Yes. I'm sorry.	10 A. And when I -- they pulled my
11 Q. Could you hear her say anything	11 arms like this (indicating).
12 or trying to say anything?	12 Q. Right.
13 MR. HARP: Object to the form.	13 A. And my face went to the ground,
14 A. Like, she wasn't talking. I	14 and I was this way (indicating). And I saw
15 just heard noises, and I heard them yelling --	15 her --
16 the officers were yelling so loud. You know,	16 Q. Your head was turned away?
17 they were yelling.	17 A. Towards that direction.
18 Q. Right.	18 Q. Towards that direction?
19 A. Telling her to -- I don't know	19 A. Yeah. But it happened so
20 what they were -- they were just yelling. And	20 quickly. It was very fast. And I saw her
21 I -- I didn't get that far in, you know.	21 like attempt to kind of --
22 Q. Right.	22 Q. Raise up?
23 A. Because they knocked me to the	23 A. Like her neck -- like trying to

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1 do this (indicating), because whatever -- and
 2 then the officer tased her right in the
 3 stomach. And then by that time I wasn't
 4 looking anymore, and then he did it again.

5 Q. How do you know he did it again?
 6 A. Because I heard it.

7 Q. Okay.

8 A. And she was out. Like, she was
 9 out, unconscious. And then he did it again.

10 Q. Were you off the ground yet when
 11 you heard these tasings?

12 A. The first one -- I want to say
 13 by the time the third one was, yes, maybe.
 14 Yeah, I think so.

15 Q. Yes, maybe or yes?

16 A. Yes.

17 Q. Okay.

18 MR. HARP: So is your answer
 19 yes?

20 THE WITNESS: Yes.

21 Q. After you heard the third
 22 tasing, you said you were off the ground by
 23 that time, you think, correct?

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1 MR. HARP: She didn't know. She
 2 was qualifying that answer.

3 MR. HOWARD: She is now with the
 4 facial features, she is qualifying.

5 A. What was the question?

6 Q. The question is: Are you sure
 7 you were off the ground when you heard the
 8 third tasing?

9 A. I don't recall.

10 Q. Fair enough. No problem.

11 Now, in any event, after you
 12 heard tasing number three, did you hear or see
 13 anything else regarding your daughter?

14 A. I sat -- they sat me on the
 15 ground so I could see, but I could not see
 16 what was happening.

17 Q. Okay.

18 A. Like -- yeah.

19 Q. I mean, other than a group of
 20 people over there next to her?

21 A. All I could see is the police on
 22 top of her.

23 Q. Okay.

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1 A. That's all I could see the whole
 2 time.

3 Q. Including when you were -- when
 4 they had sat you on the ground handcuffed?

5 A. Yeah. They were still on top of
 6 her.

7 Q. Okay. Then do you know how long
 8 it was you were sitting on the ground?

9 A. I had urinated on myself, and
 10 they were -- I was just trying to be -- what
 11 they needed.

12 Q. When did you urinate on
 13 yourself?

14 A. When he tased me.

15 Q. What part of the sequence of
 16 events that we have just talked about did the
 17 tasing happen?

18 A. When they had me on the ground
 19 and my hands -- they tased me in the back
 20 (indicating).

21 Q. I understood that you got
 22 knocked to the ground when you were on your
 23 way to where your daughter was, right?

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1 A. Uh-huh (indicating yes).

2 Q. And were you on the ground when
 3 you were tased?

4 A. Yes.

5 Q. Where on your body did they
 6 apply the taser?

7 A. On my lower back (indicating).

8 Q. Lower back to the right side or
 9 just --

10 A. Just lower back area
 11 (indicating).

12 Q. Were you tased once?

13 A. Yes.

14 Q. And that's it?

15 A. Yes.

16 Q. Not that that's not enough, but
 17 that's it?

18 A. Yes.

19 Q. And do you know whether you were
 20 cuffed yet by the time they tased you?

21 A. Yes.

22 Q. You say you were?

23 A. I believe so, yes.

<p style="text-align: right;">Page 121</p> <p>1 Q. Were the officers saying 2 anything to you, or did they say anything to 3 you after you were knocked to the ground? 4 A. Yes. 5 Q. I'm assuming you became first 6 conscious of an officer on the way to the 7 ground, right? I mean, you weren't aware -- 8 A. It was unexpected. It was a 9 medical situation, yeah. 10 Q. Right. In other words, you 11 didn't know you were about to be tackled? 12 A. No. 13 Q. And you didn't hear anybody -- 14 did you hear anybody try to say anything to 15 you before you got tackled? 16 A. No. 17 Q. Do you recall anybody -- any 18 officer specifically saying stop, no -- in 19 other words, telling you not to go over where 20 your daughter was? 21 MR. HARP: Object to the form. 22 Q. That's a bad question, but you 23 can answer it if you understand it.</p>	<p style="text-align: right;">Page 123</p> <p>1 knocked down? 2 A. Yes. 3 Q. Or was it? 4 A. It happened -- like, I said 5 that's my daughter, she's having a -- like I 6 said seizure, and that's exactly when I got -- 7 they caught me off guard and -- 8 Q. Seizure is coming out -- you 9 just finished saying the word seizure? 10 A. Yeah. 11 Q. And you are slammed to the 12 ground? 13 A. That I can recall, yes. 14 Q. After you were on the ground did 15 you say anything further to the officers? 16 A. I don't think so, no. 17 Q. Did you hear any officer issue 18 you any commands? 19 A. I just -- I remember one -- they 20 were behind me, but one officer said get her. 21 Whatever that meant. 22 Q. Was that before or after you 23 were tased?</p>
<p style="text-align: right;">Page 122</p> <p>1 A. Say it again. 2 Q. You were on your way to see your 3 daughter, right? 4 A. Yes. 5 Q. And do you hear anyone tell you 6 not to do that? 7 A. No. 8 Q. Or to stop where you are? 9 A. No. 10 Q. Anything like that? 11 A. No. 12 Q. And probably an obvious 13 question, but did you -- other than telling 14 them that was your daughter and she's having a 15 seizure -- was something you said, correct? 16 A. Yes. 17 Q. And you were on your way to do 18 that? 19 A. Yes. 20 Q. I mean, you were on your way to 21 your daughter when you said that? 22 A. Yes. 23 Q. And that was before you got</p>	<p style="text-align: right;">Page 124</p> <p>1 A. Before. 2 Q. Specifically, do you remember an 3 officer ordering you to be still? 4 MR. HARP: Before or after she 5 was tased? 6 MR. HOWARD: Before she was 7 tased. 8 A. No. 9 Q. Specifically, do you recall an 10 officer ordering you to not resist before you 11 were tased? 12 A. No. 13 Q. Specifically, do you recall an 14 officer telling you to stop struggling before 15 you were tased? 16 A. No, no. 17 Q. Specifically, do you recall an 18 officer ordering you to give us your arms 19 before you were tased? 20 A. No, no. They had my arms. I 21 remember being asked to sit up. 22 Q. Were you still on your belly at 23 the time you were asked to sit up?</p>

<p style="text-align: right;">Page 125</p> <p>1 A. No.</p> <p>2 Q. Were you on your back?</p> <p>3 A. Yes.</p> <p>4 Q. So somehow you had, what, gotten</p> <p>5 rolled over to your back?</p> <p>6 MR. HARP: Object to the form.</p> <p>7 Q. You said before you were on the</p> <p>8 ground looking with your head going to one</p> <p>9 side, right?</p> <p>10 A. Oh, yes.</p> <p>11 Q. And somehow from there you got</p> <p>12 to the point of being on your back?</p> <p>13 A. They pulled me across the</p> <p>14 courtyard and put me down on the ground, and I</p> <p>15 remember asking to sit up.</p> <p>16 Q. Okay.</p> <p>17 A. He told me to.</p> <p>18 Q. What did he tell you?</p> <p>19 A. Sit the F-ing down. No --</p> <p>20 Q. Anything else that he told you?</p> <p>21 A. (Witness shakes head</p> <p>22 negatively.)</p> <p>23 Q. Is that a no?</p>	<p style="text-align: right;">Page 127</p> <p>1 windows or open doors of Center Stages?</p> <p>2 MR. HARP: Object to the form.</p> <p>3 Q. You can answer.</p> <p>4 A. There was nothing there. It</p> <p>5 was -- the doors were -- there was no doors or</p> <p>6 anything there. It was just an opening, the</p> <p>7 entrance -- there was no door there.</p> <p>8 Q. Okay. And it's been a while</p> <p>9 since I've been down.</p> <p>10 So there were actually -- you</p> <p>11 didn't actually pass through a doorway?</p> <p>12 A. No.</p> <p>13 Q. Between you and your daughter?</p> <p>14 A. No.</p> <p>15 Q. Okay. I guess it's maybe like a</p> <p>16 carport where it's roofed but not -- no doors.</p> <p>17 Does that sound right?</p> <p>18 A. The front of that place is all</p> <p>19 glass doors.</p> <p>20 Q. Right.</p> <p>21 A. Like a movie theater. You know</p> <p>22 what I mean?</p> <p>23 Q. Right.</p>
<p style="text-align: right;">Page 126</p> <p>1 A. No.</p> <p>2 Q. While I'm at that point, any</p> <p>3 other words exchanged between you and any</p> <p>4 officers that you hadn't told me about, from</p> <p>5 getting knocked down to getting put outside?</p> <p>6 MR. HARP: Object to the form.</p> <p>7 She never said she was inside.</p> <p>8 Q. Well, were you ever inside?</p> <p>9 A. No.</p> <p>10 Q. When I say inside, I mean in a</p> <p>11 roofed area?</p> <p>12 A. No.</p> <p>13 Q. Was your daughter in a roofed</p> <p>14 area?</p> <p>15 A. Yes.</p> <p>16 Q. So you never opened the door to</p> <p>17 enter the lobby?</p> <p>18 A. The doors were open.</p> <p>19 Q. Okay. Did you cross the</p> <p>20 threshold?</p> <p>21 A. No.</p> <p>22 Q. So you're seeing all this</p> <p>23 activity with your daughter through the</p>	<p style="text-align: right;">Page 128</p> <p>1 A. And the doors were open, two</p> <p>2 double doors were open. And she was inside</p> <p>3 the lobby on the ground on the left.</p> <p>4 Q. Okay.</p> <p>5 A. And I approached and got knocked</p> <p>6 before I got to the entrance.</p> <p>7 Q. Okay. So when they dragged you</p> <p>8 somewhere, was it further out?</p> <p>9 A. It was a concrete retaining</p> <p>10 wall.</p> <p>11 Q. Wall, retaining wall?</p> <p>12 A. They pulled me to that point.</p> <p>13 Q. Okay. Now, before the proper</p> <p>14 objection, I had asked you if there were any</p> <p>15 other words exchanged between you and</p> <p>16 officers, any officers, from the time you got</p> <p>17 knocked down until the time they took you to</p> <p>18 the retaining wall and you asked to be sat up</p> <p>19 and they said what you said they said.</p> <p>20 Anything else?</p> <p>21 A. I don't recall.</p> <p>22 Q. Okay. And at that point, other</p> <p>23 than seeing the officers still over on your</p>

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<p>1 daughter, did you see anything else with your 2 daughter?</p> <p>3 A. (Witness shakes head 4 negatively.)</p> <p>5 Q. No?</p> <p>6 A. No.</p> <p>7 MR. HOWARD: Let's do lunch. 8 This is a good cutoff.</p> <p>9 (Whereupon, a brief recess was 10 taken.)</p> <p>11 Q. (By Mr. Howard) How many -- 12 well, do you know the person who tackled you?</p> <p>13 A. No.</p> <p>14 Q. Okay. Can you describe what 15 they were wearing?</p> <p>16 A. Police uniform.</p> <p>17 Q. Okay. And by police uniform, do 18 we mean someone -- the classic patrolman 19 uniform with all the -- you know, black or 20 dark with a name plate and typical cop-looking 21 stuff?</p> <p>22 MR. HARP: Object to the form.</p> <p>23 Q. You can answer.</p>	<p>1 no.</p> <p>2 Q. And besides knowing them, did 3 you recognize them in any way, the guy who -- 4 in uniform or the other one who was in dark 5 clothes? Did you recognize him in any --</p> <p>6 MR. HARP: Wait. Did you say 7 besides knowing them?</p> <p>8 MR. HOWARD: Well, I said -- I 9 meant besides knowing them personally.</p> <p>10 Q. Was there any recognition to you 11 that you had seen either of these guys 12 whenever?</p> <p>13 MR. HARP: I thought she said 14 she didn't know them personally.</p> <p>15 Q. Well, you can not know somebody 16 and know who they are, is what I'm asking. 17 But that's a no?</p> <p>18 A. No.</p> <p>19 Q. Okay. I know who a lot of 20 people are. That doesn't mean I know them. 21 That's why I'm asking.</p> <p>22 MR. HARP: I wasn't quibbling 23 with you over it. I was objecting to the form</p>
Page 130	Page 132
<p>1 A. The officer that arrested me had 2 a uniform on. The one that knocked me to the 3 ground, I did not see him from the side.</p> <p>4 Q. Fair enough.</p> <p>5 A. He was behind me. I know he had 6 dark clothes on, but I'm unsure whether it was 7 a uniform or just dark clothing.</p> <p>8 Q. But you're -- you're talking in 9 terms of two persons -- two officers handling 10 you?</p> <p>11 A. Yeah, it was two officers for 12 sure, yeah.</p> <p>13 Q. Right. And have you come to 14 know who they are?</p> <p>15 A. Yes.</p> <p>16 Q. By virtue of the lawsuit?</p> <p>17 A. No. If you show me a picture.</p> <p>18 Q. Okay. You didn't -- did you 19 otherwise know those guys beforehand?</p> <p>20 A. No.</p> <p>21 Q. Did you know any Rainbow City 22 officers before this happened?</p> <p>23 A. No, I don't have a personal --</p>	<p>1 of it.</p> <p>2 Q. Okay. Are you sitting now -- 3 where we are in the sequence of events, are 4 you sitting with your back to the retaining 5 wall?</p> <p>6 A. Yes.</p> <p>7 Q. Or are you sitting on it?</p> <p>8 A. Sitting with my back to it.</p> <p>9 Q. Okay. With your rear end on the 10 ground?</p> <p>11 A. Yeah.</p> <p>12 Q. Okay. What happens next?</p> <p>13 A. I'm kind of -- asked to sit up. 14 So I must have been laying on my side.</p> <p>15 Q. Right.</p> <p>16 A. Because I wanted to sit. But 17 after that, they just lifted me up to the wall 18 and took me to the police car.</p> <p>19 Q. All right. Two of them or one 20 of them?</p> <p>21 A. I don't recall how I got up over 22 the --</p> <p>23 Q. Right.</p>

	Page 133		Page 135
1 A.	If it was one or two, but one	1 processed before me. I asked the lady maybe	
2 walked me to the car.		2 twice -- or just once because they were --	
3 Q.	Anything said between you	3 told me to be quiet, told me to shut the fuck	
4 and the one who walked you to the car?		4 up.	
5 A.	I don't recall.	5 Q. Who told you that?	
6 Q.	And was it the uniformed guy?	6 A. The officer that was standing	
7 A.	Yes.	7 there.	
8 Q.	Did he put you in the police	8 Q. Like behind the desk?	
9 car?		9 A. I can't recall if inside that	
10 A.	Yes.	10 room if there was a desk or if it was glass	
11 Q.	And you were taken eventually --	11 and -- because I just was sitting down being	
12 I mean, you were taken to the Etowah County		12 quiet.	
13 jail?		13 Q. Sure.	
14 A.	Yes.	14 A. But I wanted to find -- ask them	
15 Q.	On the way was there any	15 to call the hospital to find out, you know,	
16 discussion between you and the officer?		16 what was going on with my daughter.	
17 A.	I don't recall. I was saturated	17 Q. Okay.	
18 in urine and the seat was not like a normal		18 A. And they told me to -- the lady	
19 seat. I didn't know what kind of seat it was.		19 that answered me -- the man said shut the fuck	
20 It was like a hard seat, like there was no --		20 up. And then the officer -- which I don't	
21 like something you would see in a park.		21 know his name -- he told me that, you know, I	
22 Q.	Oh, more of a wheel bench --	22 basically deserved it because I let my kids	
23 A.	Like a fiberglass kind of seat.	23 run wild.	
	Page 134		Page 136
1 Q.	Okay.	1 Q. Was the -- when you say the	
2 A.	And I was -- sliding everywhere.	2 officer, was that the one who transported you?	
3 Q.	Because of your wet pants, wet	3 A. I don't recall because there was	
4 pajama pants?		4 a lot of people in there and a lot of officers	
5 A.	Yeah, yeah. So I don't -- yeah,	5 like in the same small space.	
6 that was --		6 Q. Right. And a lot of them are	
7 Q.	Otherwise, when you first got	7 similarly dressed, are they not?	
8 put in the car, did it appear to be a regular		8 MR. HARP: Object to the form.	
9 car, like a black and white patrol car?		9 Q. Are there similarly-dressed cops	
10 A.	Yeah, yes, sir.	10 in there?	
11 Q.	What time -- excuse me. That's	11 A. I only saw uniformed police	
12 not the question.		12 officers.	
13 What occurred when you got to		13 Q. That's what I'm saying. I mean,	
14 the Etowah County jail?		14 as to what jurisdiction, they may have been	
15 A.	We pulled in and he came around	15 Gadsden, Rainbow City, Hokes Bluff or	
16 and got me out and walked me into some room		16 whatever. It's hard to tell the difference	
17 with other -- a lot of other people. It was		17 between them.	
18 pretty -- a good many people in there.		18 MR. HARP: Object to the form.	
19 Q.	Right. Did you go through a	19 Q. Is that fair to say?	
20 booking process?		20 A. I didn't look for that.	
21 A.	I was the very last person.	21 Q. Okay. And that's what I'm	
22 Like I said, I was there for hours, hours.		22 trying to get to, is: The one who told you	
23 Everybody even that came after me got		23 about deserving it for letting your kids run	

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<p>1 wild, you don't know who that was? Is that 2 no?</p> <p>3 A. I'm sorry. No.</p> <p>4 Q. And the one who told you to shut 5 the fuck up, was that a deputy?</p> <p>6 A. I don't know the difference.</p> <p>7 Q. They typically dress in brown 8 versus the cops?</p> <p>9 A. I don't recall.</p> <p>10 Q. Okay. So you don't know if that 11 was a jail person or just some law enforcement 12 person?</p> <p>13 MR. HARP: Object to the form.</p> <p>14 A. I don't know.</p> <p>15 Q. And one of the people you talked 16 to was a lady?</p> <p>17 A. I didn't speak to anybody 18 individually.</p> <p>19 Q. Yeah.</p> <p>20 A. It was a request. And, yeah, 21 she was the dispatcher.</p> <p>22 Q. Okay.</p> <p>23 A. In front of me.</p>	<p>1 Q. Right.</p> <p>2 A. And he just told me to keep 3 trying. So I did for a while, a long while.</p> <p>4 And then I was like (indicating), could you -- 5 and he said let me see your paper. And I 6 showed him my paper. And they gave me 7 something incorrect.</p> <p>8 Q. Did they correct that mistake?</p> <p>9 A. They did.</p> <p>10 Q. And you were allowed to make a 11 phone call?</p> <p>12 A. Then the phone worked, yes.</p> <p>13 Q. Then the phone did work?</p> <p>14 A. Yes.</p> <p>15 Q. Who did you call?</p> <p>16 A. The bonding company, I think. I 17 can't remember who I called.</p> <p>18 Q. Okay. At some point during the 19 process had you been made aware that you would 20 need to have a bond?</p> <p>21 A. Yes.</p> <p>22 Q. Was there a monetary amount to 23 it?</p>
<p>1 Q. Was the request made to -- 2 directly to you, or was it made to everybody 3 in there?</p> <p>4 A. She answered my question.</p> <p>5 Q. Okay. At some point your 6 waiting period ended, right?</p> <p>7 A. Yeah, after they processed 8 everyone, whatever that means -- going from 9 that room.</p> <p>10 Q. Right.</p> <p>11 A. To a cell.</p> <p>12 Q. Right.</p> <p>13 A. And I went in there with two 14 other females. They gave us this piece of 15 paper so we could use the phone. And my piece 16 of paper -- the code on it would not go 17 through, like the phone would not operate. 18 And so I asked them numerous times -- you 19 know, tapped on the thing, like going like 20 this, trying to get their attention, telling 21 them that -- speaking through the door that my 22 -- there is something wrong with the phone 23 (indicating).</p>	<p>1 A. Yes.</p> <p>2 Q. Do you know how much?</p> <p>3 A. No.</p> <p>4 Q. Okay. Did you have to pay a 5 bondsman?</p> <p>6 A. No.</p> <p>7 Q. Okay. Were you allowed to sign 8 your own bond like on your own recognizance?</p> <p>9 A. No. I had to be bonded out, I 10 think, if I remember correctly.</p> <p>11 Q. Sometimes a homeowner, for 12 example, might be able to be a homeowner so 13 they will let you go because they know you 14 have got a home?</p> <p>15 A. That was not the circumstances.</p> <p>16 Q. That was not the case. Okay.</p> <p>17 When did you leave the jail?</p> <p>18 A. A time?</p> <p>19 Q. Yeah, as best you can.</p> <p>20 A. If I had to guess, between 4:00 21 and 5:00.</p> <p>22 Q. And I will help you here. was 23 it daylight yet?</p>

<p style="text-align: right;">Page 141</p> <p>1 A. It was like early dawn. You 2 know, you could tell it was -- the night was 3 over.</p> <p>4 Q. You could tell night was over 5 and daybreak was coming?</p> <p>6 A. It was coming.</p> <p>7 Q. Right in that period of time?</p> <p>8 A. Yeah, somewhere, yeah.</p> <p>9 Q. And how did you get home?</p> <p>10 A. My friend. But when I came out, 11 it was my daughter, my son, my friend and my 12 daughter's husband was there to pick me up.</p> <p>13 Q. I'm gathering from that you had 14 called a friend about coming to get you?</p> <p>15 A. I'm not sure if I called my 16 friend or if I called one of my kids. I have 17 two adult children. So I don't remember 18 exactly because they were all there. So I'm 19 kind of confused on how that happened.</p> <p>20 Q. Right. That would have been 21 [REDACTED] or [REDACTED]?</p> <p>22 A. Yeah.</p> <p>23 Q. Your two adult children?</p>	<p style="text-align: right;">Page 143</p> <p>1 A. No.</p> <p>2 Q. Okay.</p> <p>3 A. I don't.</p> <p>4 Q. What I'm hearing from you is -- 5 as far as you know, he was there and you 6 assume he went to the concert?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And it may have been 9 Jaymon or one of your two adult children that 10 you called to transport you away from the 11 jail?</p> <p>12 A. Yeah. I'm not -- yes.</p> <p>13 Q. Not quite sure which one?</p> <p>14 A. Correct.</p> <p>15 Q. And then they all three showed 16 up along with Nick? Is that the husband?</p> <p>17 A. My son-in-law, my daughter and 18 my son and Jaymon were all there outside the 19 gate waiting.</p> <p>20 Q. Your daughter [REDACTED]?</p> <p>21 A. Correct.</p> <p>22 Q. Okay. Is Nick sometimes called 23 Nicholas?</p>
<p style="text-align: right;">Page 142</p> <p>1 A. Yes.</p> <p>2 Q. Who is the friend?</p> <p>3 A. Jaymon Palmer.</p> <p>4 Q. Okay. To your knowledge had 5 Jaymon Palmer been to the concert that night?</p> <p>6 A. I saw him at the concert.</p> <p>7 Q. But you had not called him to 8 come to the concert?</p> <p>9 A. No. I had no -- I had no idea.</p> <p>10 Q. Best you knew, he was already 11 there?</p> <p>12 A. I didn't know he was going to 13 the -- I hadn't spoke to him in -- I didn't 14 know -- I had no clue.</p> <p>15 Q. That what I'm saying. You said 16 you saw him at the concert?</p> <p>17 A. Yes.</p> <p>18 Q. At the location or outside or 19 inside Center Stages?</p> <p>20 A. It was outside when I was there.</p> <p>21 Q. Fair enough. Do you have any 22 reason to believe that he was called to that 23 scene because of what was happening with you?</p>	<p style="text-align: right;">Page 144</p> <p>1 A. No.</p> <p>2 Q. Is that -- okay.</p> <p>3 If it were [REDACTED] or [REDACTED] that 4 you had called -- if it were them, do you know 5 how it was that Jaymon would also have come?</p> <p>6 A. When I was arrested and put in 7 the vehicle, Jaymon -- that's when I saw 8 Jaymon. He came to the window and was telling 9 the police officer that I was her mother.</p> <p>10 Q. Her mother?</p> <p>11 A. Yes. And that my daughter was 12 having a seizure. She had a medical 13 condition. And he was trying to tell the 14 police officer -- you know, fill them in. And 15 that's when I saw him there. So he was aware 16 that I was being arrested.</p> <p>17 Q. Okay.</p> <p>18 A. But I didn't ask him or call 19 him.</p> <p>20 Q. Sure.</p> <p>21 A. Yeah.</p> <p>22 Q. Have you talked with him since 23 the incident about the incident?</p>

<p style="text-align: right;">Page 145</p> <p>1 A. No.</p> <p>2 Q. Do you have any reason to 3 believe that he came to the jail and waited 4 for hours rather than coming at the time when 5 you were to be released?</p> <p>6 A. I have no idea how long any of 7 them waited.</p> <p>8 Q. Would [REDACTED] or [REDACTED] have known 9 Jaymon well enough to call him?</p> <p>10 MR. HARP: Object to the form.</p> <p>11 Q. If you know?</p> <p>12 A. I don't know.</p> <p>13 Q. Okay. I mean, I don't know how 14 close a friend you're saying.</p> <p>15 Is he a friend that your 16 daughter and son would know to call?</p> <p>17 A. No.</p> <p>18 MR. HARP: Close friend of who?</p> <p>19 MR. HOWARD: Of her, yeah.</p> <p>20 Q. That's what I'm getting to. If 21 you didn't call Jaymon, do you know how it was 22 he came there?</p> <p>23 MR. HARP: I think she has</p>	<p style="text-align: right;">Page 147</p> <p>1 A. I don't know.</p> <p>2 Q. And when you said you either -- 3 on Sunday did you have contact with TDH?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Face to face?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. So she came home, or did 8 you go see her?</p> <p>9 A. I went to her.</p> <p>10 Q. And where was she?</p> <p>11 A. At her friend's father's house.</p> <p>12 Q. [REDACTED]'s dad's house?</p> <p>13 A. Uh-huh (indicating yes), yes.</p> <p>14 Q. Besides [REDACTED] telling you, you 15 know, that morning that she was okay and 16 filling you in, did you speak with anybody 17 else on Saturday about what had happened with 18 your daughter?</p> <p>19 A. No, that I recall.</p> <p>20 Q. I assume at some point after 21 your long night you got some sleep, correct?</p> <p>22 A. Yes.</p> <p>23 Q. At what point -- did you seek</p>
<p style="text-align: right;">Page 146</p> <p>1 already said three times that she doesn't 2 know.</p> <p>3 Q. You don't know. Okay. 4 Where did you go after being -- 5 after being released?</p> <p>6 A. Home.</p> <p>7 Q. When did you next -- what did 8 you do when you got home?</p> <p>9 A. I really don't recall.</p> <p>10 Q. Okay. When did you next see or 11 hear about your daughter?</p> <p>12 A. Sunday.</p> <p>13 Q. Okay. When you saw Jaymon and 14 [REDACTED] and [REDACTED], did they fill you in about 15 your daughter in any way?</p> <p>16 A. [REDACTED] did.</p> <p>17 Q. Okay. He was aware of what had 18 gone on with TDH after you left? I mean, he 19 knew she was alive and so forth, right?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Do you know whether he 22 had accompanied TDH or met her at the 23 hospital?</p>	<p style="text-align: right;">Page 148</p> <p>1 any -- I sort of asked you this earlier. 2 Did you seek any medical 3 treatment following this?</p> <p>4 A. No.</p> <p>5 Q. Were there other people at home 6 with you on that Saturday?</p> <p>7 A. I don't recall.</p> <p>8 Q. Do you know when TDH next came 9 home?</p> <p>10 A. Monday.</p> <p>11 Q. Did you take TDH to any follow- 12 up medical care?</p> <p>13 A. Follow -- repeat that.</p> <p>14 Q. Yeah. And the reason I'm asking 15 is --</p> <p>16 A. Follow up from where?</p> <p>17 Q. From -- okay. Aside from a 18 normal every three month appointment with 19 Dr. Russell, for example, aside from that, did 20 you take her to any follow-up care or any care 21 that was brought on -- any medical treatment 22 that was brought on by this incident?</p> <p>23 A. I'm still not sure about the</p>

<p style="text-align: right;">Page 149</p> <p>1 question. I'm sorry.</p> <p>2 Q. Yeah. Do you know whether TDH 3 received any medical treatment after -- we 4 understand she went to the hospital that 5 night.</p> <p>6 After that did you take her -- 7 or did she have any medical treatment?</p> <p>8 MR. HARP: Object to the form.</p> <p>9 Q. Did she have any medical 10 treatment after that?</p> <p>11 A. Yes.</p> <p>12 Q. Who and what?</p> <p>13 A. I'm not sure about the -- what 14 doctor she saw first.</p> <p>15 Q. Okay.</p> <p>16 A. But she saw the neurologist.</p> <p>17 Q. By now Dr. Russell?</p> <p>18 A. Yeah.</p> <p>19 Q. No longer Bogdanova?</p> <p>20 A. Correct.</p> <p>21 Q. Okay.</p> <p>22 A. Because she was having a hard 23 time. Anyway, Dr. -- I remember seeing</p>	<p style="text-align: right;">Page 151</p> <p>1 took her. And she went one day and had a -- 2 some kind of meltdown, and I had to come pick 3 her up. And she didn't want to go back after 4 that.</p> <p>5 Q. Okay.</p> <p>6 A. She was --</p> <p>7 Q. And that's what I mean -- that's 8 what I was asking about. So --</p> <p>9 A. I mean, literally.</p> <p>10 MR. HARP: Let's wait for his 11 question.</p> <p>12 THE WITNESS: Okay.</p> <p>13 Q. I'm getting to the point where I 14 guess you were at home and received a phone 15 call from the school -- or did you receive a 16 phone call from her?</p> <p>17 A. I don't remember.</p> <p>18 Q. In any event, somebody made you 19 aware that you needed to come to the school?</p> <p>20 A. Yes.</p> <p>21 Q. And I suppose -- did you have to 22 check her out?</p> <p>22 A. I really don't remember what the</p>
<p style="text-align: right;">Page 150</p> <p>1 Dr. Russell and Dr. Kelly.</p> <p>2 Q. I mean, I'm assuming if she 3 went, you took her?</p> <p>4 A. Yes.</p> <p>5 Q. Is that fair?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Do you know how long it 8 was before she tried to go back to school?</p> <p>9 A. I don't remember exactly.</p> <p>10 Q. Do you remember at some point 11 her attempt to go back to school?</p> <p>12 A. Yes, uh-huh (indicating yes).</p> <p>13 Q. Tell me about what you remember 14 about leading up to that and what happened and 15 going to school and --</p> <p>16 A. She was pretty wore out and -- 17 physically and mentally, you know, she was 18 exhausted.</p> <p>19 Q. Right.</p> <p>20 A. So I don't remember exactly how 21 long. Maybe -- I don't want to speculate.</p> <p>22 Q. Okay.</p> <p>23 A. But when she was up to it, we</p>	<p style="text-align: right;">Page 152</p> <p>1 process was.</p> <p>2 Q. Okay.</p> <p>3 A. She was quite upset.</p> <p>4 Q. Do you remember what all she 5 said to you about what she experienced that 6 day? Or tell me what you do recall?</p> <p>7 A. I just recall that she attempted 8 to go to school and that the -- everybody 9 knew. Everybody witnessed, you know, what 10 happened, and she was bombarded with a lot of, 11 you know, questions, maybe, and inquiries, and 12 she didn't want to discuss anything. And, you 13 know, remarks, you know. I mean --</p> <p>14 Q. A lot of gossiping and that sort 15 of thing?</p> <p>16 A. Just a lot of -- yeah.</p> <p>17 Q. Do you know whether she talked 18 to any of the school personnel about this 19 going on that day?</p> <p>20 A. If I remember correctly, TDH was 21 not open to, you know, discussing the 22 situation as much as she was just trying to 23 handle her emotions, you know.</p>

<p style="text-align: right;">Page 153</p> <p>1 Q. Okay. And I don't know what I'm 2 thinking -- in other words, you don't know if 3 she went to a counselor or favorite teacher 4 maybe?</p> <p>5 A. I do not know.</p> <p>6 Q. She did not return to school for 7 the rest of that year, correct?</p> <p>8 A. Correct.</p> <p>9 Q. I'm assuming you discussed that 10 with her at some point; is that right?</p> <p>11 A. Yes.</p> <p>12 Q. How did you arrive at your 13 decision to -- well, did you approve of her 14 not going back to school?</p> <p>15 A. As a mother, you want your 16 children to finish school. But under the 17 circumstances, I tried to encourage her to 18 stay in, but she was overwhelmed with being 19 humiliated and the pressure from the peers and 20 the gossip and, you know, people making 21 remarks about the situation. You know, I mean 22 I urinated -- you know what I'm saying -- it 23 was done in front of everybody.</p>	<p style="text-align: right;">Page 155</p> <p>1 making remarks about that?</p> <p>2 A. Yes.</p> <p>3 Q. In what context?</p> <p>4 A. I mean, people we don't even 5 know.</p> <p>6 One particular time I went to 7 Hannah's Closet -- I guess it's that little 8 place -- and a woman just approached us and 9 said that she heard what happened and, you 10 know, were we okay and, you know, it was 11 tragic. Her daughter, you know -- and I just 12 -- we just -- both of us are very -- didn't 13 want to -- we wanted to remove ourselves from 14 those kinds of situations, you know.</p> <p>15 Q. Sure. I can appreciate that.</p> <p>16 A. So we just -- it was just stuff 17 like that.</p> <p>18 Q. I understand. And I would 19 imagine, if it were me, that it would be 20 uppermost in my mind when this nice little old 21 lady or nice lady comes up and asks you about 22 this event that's really none of her business.</p> <p>23 But did she say anything to you</p>
<p style="text-align: right;">Page 154</p> <p>1 So the pressure, she just had to 2 avoid it, in her mind.</p> <p>3 Q. Sure. I understand. I'm 4 judging -- I figured she told you these 5 things. That's how you would know, right?</p> <p>6 A. Well, I experienced them myself.</p> <p>7 Q. Let me ask you something.</p> <p>8 When this thing happened and you 9 got tased and you urinated on yourself, from 10 that point forward were you made aware that 11 the people there surrounding knew it?</p> <p>12 MR. HARP: Object to the form.</p> <p>13 Q. Knew that you had peed in your 14 pants?</p> <p>15 A. It was all over the ground.</p> <p>16 Q. Okay.</p> <p>17 A. It was --</p> <p>18 Q. I mean, I don't -- I wasn't 19 there so I'm asking.</p> <p>20 So in other words, it was 21 something that would have been noticed?</p> <p>22 A. Yes, it was obvious.</p> <p>23 Q. Okay. Did you later have people</p>	<p style="text-align: right;">Page 156</p> <p>1 where she indicated that she knew you had peed 2 in your pants? I'm not saying that to be 3 flippant.</p> <p>4 A. That one, no.</p> <p>5 Q. Did anybody?</p> <p>6 A. What do you mean?</p> <p>7 Q. Well, I can imagine -- and 8 here's what -- you asked me -- I can imagine 9 that you see people and they asked about the 10 incident or they say, oh, I'm sorry this 11 happen, blah, blah, blah. But did someone 12 make specific questions or remarks about 13 peeing in your pants?</p> <p>14 A. I don't ever recall somebody 15 saying -- specifically I saw you pee in your 16 pants.</p> <p>17 Q. Or I heard that and we -- Okay. 18 That's why I'm asking you. You'd probably 19 remember that, don't you think?</p> <p>20 MR. HARP: Object to the form,</p> <p>21 Q. But in any event, you don't 22 remember that, right?</p> <p>23 A. No, sir.</p>

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<p>1 Q. Were there other occasions where 2 people you didn't know asked you about or made 3 remarks to you about the incident, either 4 asking or telling, however you want to say it?</p> <p>5 A. I have heard people -- people 6 have made remarks to us, but I don't remember 7 specific dates or anything like that.</p> <p>8 Q. Right.</p> <p>9 A. Or their names -- you know, it 10 was something I don't know.</p> <p>11 Q. And if --</p> <p>12 A. Sometimes it would be just like 13 I hope y'all are okay, you know, encouragement 14 words.</p> <p>15 Q. Right. There were people who in 16 addition -- in addition to those who 17 referenced it in an encouraging sense, were 18 there people who asked you about details?</p> <p>19 A. No.</p> <p>20 Q. Did anybody ask you to write out 21 what happened?</p> <p>22 A. It's possible that the therapist 23 did but --</p>	<p>1 A. Say it again.</p> <p>2 Q. Yeah. Do you have a Facebook 3 page?</p> <p>4 A. I do.</p> <p>5 Q. Do you post things on it 6 sometimes?</p> <p>7 A. Yes.</p> <p>8 Q. And are those -- do you post 9 things that you yourself write, comments and 10 remarks and so forth?</p> <p>11 A. Yes.</p> <p>12 Q. I'm assuming you post pictures 13 or meems on occasion too?</p> <p>14 A. Yes.</p> <p>15 Q. And if you are a Facebook friend 16 of someone, can they go to your page and write 17 on your wall?</p> <p>18 A. I think that's how it works, 19 yeah.</p> <p>20 Q. I mean, unless you chose not to. 21 But okay.</p> <p>22 A. Yeah.</p> <p>23 Q. So did either you or anyone else</p>
Page 158	Page 160
<p>1 Q. Nobody like -- nobody on 2 Facebook or --</p> <p>3 A. No.</p> <p>4 Q. News reporters or anybody like 5 that?</p> <p>6 A. (Witness shakes head.)</p> <p>7 Q. No?</p> <p>8 A. No.</p> <p>9 Q. Do you have a Facebook account?</p> <p>10 A. Yes.</p> <p>11 Q. Were there any postings made on 12 your Facebook account by you or anyone else 13 about this incident?</p> <p>14 A. What do you mean?</p> <p>15 MR. HARP: Object to the form.</p> <p>16 Q. As far as you know, on your page 17 did either you write something and post it on 18 your page or have somebody else post it on 19 your page, if they can?</p> <p>20 MR. HARP: Object to the form.</p> <p>21 Q. Do you know what I'm talking 22 about?</p> <p>23 MR. HARP: Object to the form.</p>	<p>1 write on your wall anything about this 2 incident?</p> <p>3 MR. HARP: Object to the form.</p> <p>4 Q. I don't even know what he's 5 objecting to.</p> <p>6 MR. HARP: Because of the way 7 that you're asking the question, it doesn't 8 give her an opportunity to answer yes to one 9 or the other. If you want to break it up into 10 two different questions, that's fine.</p> <p>11 Q. Did you write anything and post 12 it on your wall?</p> <p>13 MR. HARP: Object to the form.</p> <p>14 About what?</p> <p>15 Q. About this incident?</p> <p>16 A. I don't recall.</p> <p>17 Q. Okay. Did anyone else post 18 something about this incident on your wall?</p> <p>19 A. I'm not sure about what the wall 20 means.</p> <p>21 Q. Uh-huh (indicating yes).</p> <p>22 A. I know that I witnessed -- I saw 23 things posted about this incident. There was</p>

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<p>1 a lot of posts made by a lot of people. It 2 was like the -- you know, the buzz of the town 3 for a good minute.</p> <p>4 Q. Sure. I understand.</p> <p>5 A. You know what I mean? As to who 6 made the post, what they said, what they 7 particularly said, I don't recall.</p> <p>8 Q. Right. Because you would 9 typically -- you typically see posts that your 10 Facebook friends put up, right?</p> <p>11 A. Yes.</p> <p>12 Q. Right.</p> <p>13 A. If you are following them.</p> <p>14 Q. Yeah, right, right.</p> <p>15 At any time since this incident 16 have you consciously deleted anything from 17 Facebook about this incident?</p> <p>18 A. No.</p> <p>19 Q. To your knowledge, at any time 20 since this incident has your daughter TDH 21 deleted anything from her Facebook account?</p> <p>22 A. I have no idea.</p> <p>23 Q. At any time after TDH did not go</p>	<p>1 sure I did talk to someone at Southside High 2 School?</p> <p>3 A. Well, you have to talk to 4 somebody to withdraw your child.</p> <p>5 Q. Okay. Fair enough. And that 6 was a poor question by me.</p> <p>7 I guess you officially withdrew 8 TDH?</p> <p>9 A. At some point, yes.</p> <p>10 Q. At some point. Did you have any 11 further contact with Southside about 12 reenrolling her?</p> <p>13 A. I don't recall.</p> <p>14 Q. Okay. Were you charged with any 15 crime or violation from your arrest?</p> <p>16 MR. HARP: Object to the form.</p> <p>17 Q. Your arrest -- did your arrest 18 turn into a criminal charge?</p> <p>19 A. Yes.</p> <p>20 Q. And I'm talking about the one on 21 the night of January 15 -- January 16, 2015?</p> <p>22 A. Yeah.</p> <p>23 Q. Do you know what you were</p>
Page 162	Page 164
<p>1 back to school that year -- and she did not go 2 back the following year, correct?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. At any time during either 5 the rest of that year or the beginning of the 6 next year, did you have any communication with 7 the Southside High School -- any Southside 8 High School official about her returning to 9 school?</p> <p>10 A. Oh, I'm sure I did.</p> <p>11 Q. Do you know who you talked to?</p> <p>12 A. Uh-uh (indicating no), no.</p> <p>13 Q. Do you remember what if anything 14 you were told by whoever it was you talked to?</p> <p>15 A. No, I don't recall.</p> <p>16 Q. Did you remember what the 17 purpose of your talking to them was?</p> <p>18 A. To whom?</p> <p>19 Q. The person whoever you say you 20 talked to at Southside High School?</p> <p>21 A. Say it one more time. I'm 22 sorry.</p> <p>23 Q. Yeah. I believe you said I'm</p>	<p>1 charged with?</p> <p>2 A. Specifically, no.</p> <p>3 Q. Okay. What became of that 4 charge?</p> <p>5 A. They dismissed -- I don't -- I 6 don't recall how that ended.</p> <p>7 Q. Okay. It seems to have gone 8 away in some way?</p> <p>9 A. Yes, yes, sir.</p> <p>10 Q. Did you have an attorney 11 handling that criminal situation?</p> <p>12 A. No.</p> <p>13 Q. Did you speak with the -- like 14 the city prosecutor?</p> <p>15 A. I filled out a paper for an 16 attorney to speak with me, and that's who I 17 spoke with, whoever that was.</p> <p>18 Q. But was he somebody that was 19 representing the actual City?</p> <p>20 A. I can't recall if he was for me 21 or for them.</p> <p>22 Q. Okay.</p> <p>23 A. Actually.</p>

<p style="text-align: right;">Page 165</p> <p>1 Q. Did you ever have any contact 2 with anyone from the Rainbow City police 3 department about this event? 4 A. Say that again. 5 Q. Yeah. Did you ever have any 6 contact with anyone in the Rainbow City police 7 department about what had happened to either 8 TDH or to you on that night? 9 A. I still don't get the question. 10 Q. Did you call and talk to anybody 11 at the police department about what had 12 happened to you? 13 A. No, I don't -- 14 Q. Okay. And did you communicate 15 with anybody else from the City of Rainbow 16 City about what had happened to TDH and you? 17 A. No. 18 Q. You didn't call up the mayor and 19 tell him about it? 20 A. Oh, no. 21 Q. That's what I'm asking about. 22 A. No, sir. 23 Q. Okay. While you were at the</p>	<p style="text-align: right;">Page 167</p> <p>1 told me about, the anxiety and such -- we 2 talked about that pretty good. 3 Other than that, what changes in 4 you, your situation, your life do you 5 attribute to the events of that night? 6 A. Well, I was a little social, and 7 I just retreated and have no social -- I was 8 unable to socialize like I was before. 9 Q. Okay. 10 A. And withdrew from a lot of 11 friends, acquaintances. It really changed my 12 attitude towards my younger children, my 13 younger daughter, about her going out and 14 different things, you know. 15 Q. Are you finding yourself being 16 more protective? 17 A. Yes. 18 Q. Is that what you are talking 19 about? 20 A. Yes, sir. 21 Q. And are you finding yourself 22 being what you would otherwise think 23 overprotective because of this?</p>
<p style="text-align: right;">Page 166</p> <p>1 jail, were you allowed to change out of your 2 pajama bottoms? 3 A. No, sir. 4 Q. So I take it the first time you 5 were able to get out of those was when you 6 went home? 7 A. Correct. 8 Q. Aside from your attorneys, have 9 you spoken with anyone outside your immediate 10 family? 11 A. No. 12 Q. About the events of that night? 13 A. Doctors. 14 Q. Doctors. Dr. Kelly, 15 Dr. Russell, right? 16 A. Uh-huh (indicating yes), yes, 17 sir. 18 Q. Dr. Russell doesn't treat you 19 for anything, correct? 20 A. No, no. 21 Q. Just your daughter? 22 A. Yes. 23 Q. Okay. Other than what you have</p>	<p style="text-align: right;">Page 168</p> <p>1 A. Yes, sir. 2 Q. What else, not that that's not 3 enough, but what else? 4 MR. HARP: Object to the form. 5 Q. It's okay. You can testify. 6 A. Ask me again, please. 7 Q. What other things? 8 A. That -- 9 Q. That have been caused to -- that 10 have happened to you because of the events of 11 that night? 12 A. Like I said, just basically, you 13 know, not associating with -- it's just like a 14 withdrawal. You know what I mean? And 15 feeling really bad just about -- just about 16 everything, you know. A lot of changes. 17 Q. Do you have any -- 18 A. A lot of trust issues. 19 Q. A lot of trust issues. I 20 understand. 21 Have you had any interactions 22 with any police officer -- well, you told me 23 about seeing some of them like in a Walmart or</p>

<p style="text-align: right;">Page 169</p> <p>1 something. But have you had any -- well, 2 strike that. You testified about that.</p> <p>3 Do you have any regular hobbies, 4 interests that you are active in?</p> <p>5 A. A few.</p> <p>6 Q. Okay. Are they things that you 7 were active in before this happened?</p> <p>8 A. Yes.</p> <p>9 Q. What are they?</p> <p>10 A. Working out.</p> <p>11 Q. Okay. Do you belong to a gym?</p> <p>12 A. Yes.</p> <p>13 Q. I think TDH mentioned Absolute. 14 Is that where you belong?</p> <p>15 A. No.</p> <p>16 Q. Where do you belong or have you 17 belonged?</p> <p>18 A. We did belong to Absolute, but 19 we don't go there anymore.</p> <p>20 Q. Do you go somewhere else?</p> <p>21 A. We jointed Planet Fitness. But 22 just the anxiety of -- don't laugh, but just 23 being stared at, like you just -- you think</p>	<p style="text-align: right;">Page 171</p> <p>1 imply that you are supposed to go to church 2 ten times a week or something like that.</p> <p>3 Were you regularly going to 4 church before this happened?</p> <p>5 A. No.</p> <p>6 Q. I mean, right before, in the 7 year before?</p> <p>8 A. No.</p> <p>9 Q. Did you have a fear of crowds 10 before this happened?</p> <p>11 A. No.</p> <p>12 Q. Have you been caused to miss any 13 particular events because of your fear of 14 crowds?</p> <p>15 A. I have declined on many 16 invitations to do things socially, yes. 17 Christmas was horrible.</p> <p>18 Q. Are we talking about more in the 19 nature of small gatherings or --</p> <p>20 MR. HARP: Object to the form.</p> <p>21 Q. Or are we talking more in the 22 nature of ball games where there are huge 23 crowds of people?</p>
<p style="text-align: right;">Page 170</p> <p>1 it's about you, but it really isn't. You know 2 what I'm saying? It's just something you have 3 got to work out in your head.</p> <p>4 Q. You have an instinctive 5 reaction?</p> <p>6 A. Yeah.</p> <p>7 Q. I gotcha.</p> <p>8 A. Yes. I'm sorry.</p> <p>9 Q. You can say yeah. It just has 10 to be a response.</p> <p>11 And that's the kind of thing I 12 was looking for. Working out there, did you 13 regularly participate in any races, weight- 14 lifting competitions?</p> <p>15 A. No.</p> <p>16 Q. Did you regularly attend church 17 before this incident, and do you regularly 18 attend church since?</p> <p>19 A. I have a very big issue of being 20 in crowds.</p> <p>21 Q. I understand.</p> <p>22 A. So I don't --</p> <p>23 Q. And no one here is trying to</p>	<p style="text-align: right;">Page 172</p> <p>1 A. It's just -- it was very 2 irregular.</p> <p>3 Q. Okay. I understand Christmas 4 was horrible. And you responded with that. 5 So what was it about the crowd phenomenon that 6 made Christmas bad?</p> <p>7 A. Crowd phenomenon?</p> <p>8 Q. Yeah. I sort of associated -- 9 you may not have meant for me to associate 10 that when you answered.</p> <p>11 A. I didn't.</p> <p>12 Q. Okay. I guess -- yeah, any 13 other specific occasions that you can recall 14 where you didn't go because of the crowds?</p> <p>15 A. I don't recall.</p> <p>16 Q. I have a client who had to stop 17 going to Alabama football games for something 18 in her case. That's the kind of thing I'm 19 asking.</p> <p>20 So nothing in particular that 21 you recall?</p> <p>22 A. Like I said, we stayed home all 23 the time. So it could be grandchildren's ball</p>

<p style="text-align: right;">Page 173</p> <p>1 games, events -- birthday parties or whatever. 2 I don't know specifics. If I was invited 3 somewhere, I declined.</p> <p>4 Q. Other people's grandchildren's 5 ball games?</p> <p>6 A. My grandson's ball games.</p> <p>7 Q. What grandsons do you have 8 besides Troy?</p> <p>9 A. I have two other grandchildren.</p> <p>10 Q. Oh.</p> <p>11 A. I have five grandchildren.</p> <p>12 Q. Whose kids are they?</p> <p>13 A. Nicole's.</p> <p>14 Q. Oh, I'm sorry. How old are 15 they, approximately?</p> <p>16 A. Cyrus is 11, and Cooper is 4.</p> <p>17 Q. Harris, did you say?</p> <p>18 A. Cyrus.</p> <p>19 Q. Does he go to Southside?</p> <p>20 A. Yes, elementary.</p> <p>21 Q. Or Rainbow Middle?</p> <p>22 A. He goes to Southside Elementary.</p> <p>23 Q. Yeah. I apologize. I forgot</p>	<p style="text-align: right;">Page 175</p> <p>1 that piques more curiosity from you, then 2 certainly you are allowed to go into that, 3 just as you would be in court.</p> <p>4 MR. HOWARD: Right.</p> <p>5 MR. HARP: However, once you 6 pass the witness and there's no further 7 questions from -- or there are no questions 8 from our side, you don't get the chance to go 9 back and take another shot at the witness 10 because you thought of something you wanted to 11 ask.</p> <p>12 MR. HOWARD: So that would be 13 your position if it's something that they 14 bring up that wasn't brought up on my 15 examination?</p> <p>16 MR. HARP: That would absolutely 17 be my position, yes, sir.</p> <p>18 MR. HOWARD: I hear you. You 19 may be right. That's why I'm asking.</p> <p>20 Anyway, I don't have anything 21 else that I can think of now.</p> <p>22 MR. STUBBS: Can we take a quick 23 break before we start?</p>
<p style="text-align: right;">Page 174</p> <p>1 those.</p> <p>2 And that's exactly why I asked 3 that question, so I know what you are going to 4 say on the stand about missing children's ball 5 games.</p> <p>6 Any other kind of things like 7 that?</p> <p>8 MR. HOWARD: My initial direct 9 is concluded subject to being able to talk 10 about anything that comes up on other people's 11 direct.</p> <p>12 MR. HARP: I don't think that's 13 how that rule works.</p> <p>14 MR. HOWARD: It is in court.</p> <p>15 So just out of curiosity, it 16 would be Mr. Harp's position that you only get 17 a chance to ask one series of questions; and 18 once you're done, you cannot ask any questions 19 that are brought up by the examination or 20 cross-examination of others?</p> <p>21 MR. HARP: No, sir. You said 22 subject to any of their questioning. If I 23 choose to question her and I bring something</p>	<p style="text-align: right;">Page 176</p> <p>1 MR. HARP: Sure. 2 (Whereupon, a brief recess was 3 taken.)</p> <p>4</p> <p>5 EXAMINATION</p> <p>6 BY MR. STUBBS:</p> <p>7 Q. Good afternoon, Ms. Helm. I've 8 introduced myself earlier. I am David Stubbs, 9 and I represent numerous police officers who 10 were named as defendants in this lawsuit.</p> <p>11 I'm going to go through just a 12 couple of normal routine questions I always 13 ask of witnesses.</p> <p>14 Do you realize you are under 15 oath here today when you are giving your 16 testimony just like you were in court?</p> <p>17 A. Yes.</p> <p>18 Q. All right. I'm going to ask for 19 your forgiveness because being the second or 20 third in line in the questioning of a witness, 21 I'm trying to piecemeal in some information. 22 So my questions will be inconsistent as far as 23 what happened. I'm just trying to fill in</p>

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<p>¹ some gaps in my own mind anyway.</p> <p>² But if at any time I ask</p> <p>³ something and you don't understand my</p> <p>⁴ question, will you tell me you don't</p> <p>⁵ understand it so I will have an opportunity to</p> <p>⁶ correct or rephrase the question? Is that</p> <p>⁷ fair?</p> <p>⁸ A. Yes.</p> <p>⁹ Q. Okay. Ms. Helm, you were --</p> <p>¹⁰ when we started this deposition this morning,</p> <p>¹¹ you were talking about your marriages.</p> <p>¹² I know in the complaint you are</p> <p>¹³ listed as Michelle Lee Helm. Is Lee your</p> <p>¹⁴ maiden name?</p> <p>¹⁵ A. No.</p> <p>¹⁶ Q. What is your maiden name?</p> <p>¹⁷ A. Jorge, J-O-R-G-E.</p> <p>¹⁸ Q. Michelle Jorge. Do you have a</p> <p>¹⁹ middle name?</p> <p>²⁰ A. I do not have a birth middle</p> <p>²¹ name. That was -- no.</p> <p>²² Q. Okay. What are the last four</p> <p>²³ digits of your social security number? I</p>	<p>¹ A. Yes, sir.</p> <p>² Q. When you were married to Eric</p> <p>³ Redmond, did you go by Michelle Redmond?</p> <p>⁴ A. I don't recall.</p> <p>⁵ Q. Okay. Do you know -- I know</p> <p>⁶ it's taking you back numerous years, but do</p> <p>⁷ you recall having held a driver's license in</p> <p>⁸ any of your married names?</p> <p>⁹ A. Yes.</p> <p>¹⁰ Q. Do you distinctly remember which</p> <p>¹¹ ones?</p> <p>¹² A. No.</p> <p>¹³ Q. Other than the State of Alabama,</p> <p>¹⁴ have you held a driver's license in any other</p> <p>¹⁵ state?</p> <p>¹⁶ A. Yes.</p> <p>¹⁷ Q. Would that be Kentucky and</p> <p>¹⁸ Florida?</p> <p>¹⁹ A. I believe so, yes.</p> <p>²⁰ Q. Any other States?</p> <p>²¹ A. I don't recall.</p> <p>²² Q. And I know you were born in</p> <p>²³ California and then moved the Cincinnati and</p>
Page 178	Page 180
<p>¹ don't want to put your full Social Security</p> <p>² number on the record. That's why I'm asking</p> <p>³ for the last four digits.</p> <p>⁴ A. Okay. [REDACTED]</p> <p>⁵ Q. When you were married to Claude</p> <p>⁶ Stewart, it being my understanding he was your</p> <p>⁷ first husband, did you go by the name Michelle</p> <p>⁸ Stewart?</p> <p>⁹ A. Yes, sir.</p> <p>¹⁰ Q. Did you ever hold a driver's</p> <p>¹¹ license in the name of Michelle Stewart?</p> <p>¹² A. I don't recall.</p> <p>¹³ Q. Okay. I'm going to go through</p> <p>¹⁴ this whole thing. When you were married to</p> <p>¹⁵ Larry Hamilton, did you go by Michelle</p> <p>¹⁶ Hamilton?</p> <p>¹⁷ A. Yes.</p> <p>¹⁸ Q. And what about -- obviously when</p> <p>¹⁹ you were married to Daniel Helm you went by</p> <p>²⁰ Michelle Helm?</p> <p>²¹ A. Yes, sir.</p> <p>²² Q. When you were married to Tony</p> <p>²³ Flemming, did you go by Michelle Flemming?</p>	<p>¹ then moved to Kentucky.</p> <p>² Have you lived in any other</p> <p>³ States other than California, Ohio, Kentucky,</p> <p>⁴ Florida and Alabama?</p> <p>⁵ A. I think that's -- yes. No.</p> <p>⁶ Q. Once again, forgive me if I</p> <p>⁷ didn't catch this earlier.</p> <p>⁸ Did you have any children when</p> <p>⁹ you were married to Claude Stewart?</p> <p>¹⁰ A. Yes.</p> <p>¹¹ Q. Who were those children?</p> <p>¹² A. [REDACTED].</p> <p>¹³ Q. So [REDACTED]'s maiden name is</p> <p>¹⁴ Nicole Stewart?</p> <p>¹⁵ A. Yes, sir.</p> <p>¹⁶ Q. When you were married to Larry</p> <p>¹⁷ Hamilton, did you have any children?</p> <p>¹⁸ A. Yes.</p> <p>¹⁹ Q. Who is that child?</p> <p>²⁰ A. [REDACTED].</p> <p>²¹ Q. Is that still [REDACTED] Hamilton?</p> <p>²² A. No.</p> <p>²³ Q. What does [REDACTED] go by now?</p>

<p style="text-align: right;">Page 181</p> <p>1 A. Helm. 2 Q. Did Daniel Helm adopt [REDACTED] at 3 some point? 4 A. No. 5 Q. Did [REDACTED] change his name? 6 A. Yes. 7 Q. Okay. Do you know what led to 8 [REDACTED] changing his name from [REDACTED] Hamilton to 9 [REDACTED] Helm? 10 A. Because he -- Daniel is his dad 11 to him. 12 Q. I understand. Daniel was 13 basically the father figure that [REDACTED] had; is 14 that correct? 15 A. The only father figure that he 16 had, yes. 17 Q. So Larry Hamilton really wasn't 18 involved in [REDACTED]'s life very much? 19 A. Correct. 20 Q. So you have [REDACTED] born during 21 your marriage to Claude Stewart. Aaron was 22 born during your marriage to Larry Hamilton. 23 And then your three daughters -- you had three</p>	<p style="text-align: right;">Page 183</p> <p>1 years old. Is that your memory? 2 A. He died in 2000. She was born 3 in 1997, so, yes. 4 Q. How old were your other children 5 at the time, if you remember? 6 A. [REDACTED] was 10 months old. I 7 was breast feeding her. And [REDACTED] was going 8 on five. 9 Q. Okay. And then [REDACTED] and [REDACTED] 10 were in their teen years? 11 A. Yes. 12 Q. All right. 13 A. He died on my son's birthday. 14 [REDACTED] was twelve. 15 Q. He died on [REDACTED]'s birthday? 16 A. Yes. 17 Q. Did any of your children receive 18 counseling as a result of Daniel's death? 19 A. No. They were too young at the 20 time. 21 Q. Has TDH ever spoken about having 22 any memory of her dad's death? 23 A. No. She wasn't there.</p>
<p style="text-align: right;">Page 182</p> <p>1 daughters with Daniel? 2 A. Yes, sir. 3 Q. And no children in your marriage 4 to Tony Flemming; is that correct? 5 A. Correct. 6 Q. And no children with your 7 marriage to Eric Redmond? 8 A. Correct. 9 Q. I just wanted to get that 10 straight. 11 Did you -- obviously you know 12 your daughter was deposed yesterday, correct? 13 A. Yes. 14 Q. Did you have any conversation 15 with TDH between the time her deposition ended 16 and when you started yours today about what 17 she was questioned about? 18 A. No. 19 Q. No conversation at all about 20 that? 21 A. None. 22 Q. When Daniel was electrocuted and 23 died, it's my understanding that TDH was three</p>	<p style="text-align: right;">Page 184</p> <p>1 Q. I didn't mean about the actual 2 electrocution. I mean, just remembering when 3 he passed away? 4 A. She has memories of that time 5 frame. But specific, I couldn't tell you. 6 Q. All right. One of your 7 marriages ended when your husband passed, 8 Daniel, correct? 9 A. Correct. 10 Q. And the other four ended in 11 divorce. 12 The four that ended in divorce, 13 did you file for the divorce or did they or is 14 it a combination? 15 A. Me. 16 Q. All right. So as to your 17 divorce from Mr. Stewart, Mr. Hamilton, 18 Mr. Flemming and Mr. Redmond, you filed for 19 divorce? 20 A. I believe so, yes. 21 Q. Did any of those actually go to 22 trial? 23 A. No.</p>

<p style="text-align: right;">Page 185</p> <p>1 Q. They were all resolved through 2 settlement? 3 A. Yes. 4 Q. All right. Have you ever had to 5 file a restraining order against anyone? 6 A. Yes. 7 Q. Tell me about that. 8 A. Larry Hamilton. 9 Q. Approximately what year would 10 that have been in? 11 A. I don't recall. 12 Q. Do you recall approximately what 13 year you were married to -- was it during your 14 marriage or during the divorce proceedings? 15 A. I don't recall. 16 Q. What led to the circumstances of 17 filing a restraining order against -- or 18 having a restraining order entered against 19 Larry Hamilton? 20 A. I -- really just harassment. 21 Q. Okay. 22 A. It's 27 years ago so it's pretty 23 -- behind me.</p>	<p style="text-align: right;">Page 187</p> <p>1 repeating that date over and over, can we just 2 say the day of concert? Can we have an 3 understanding if I say the day of the concert 4 we are talking about January 16, 2015; is that 5 fair? 6 A. Yes. 7 Q. Prior to the concert, had you 8 ever sought treatment from a mental health 9 care professional, period, question mark? 10 Have you ever sought -- prior to 11 the concert had you ever sought treatment from 12 a mental health care professional? 13 A. I believe, yes. 14 Q. Do you know who treated you or 15 counseled you? 16 A. I don't recall. 17 Q. Do you know what led to your 18 seeking such treatment? 19 A. My husband dying. 20 Q. Okay. You can't recall who you 21 sought treatment from as a result of your 22 husband dying? 23 A. No, not -- no, I don't.</p>
<p style="text-align: right;">Page 186</p> <p>1 Q. And I'm not trying to stir up 2 bad memories, but I have a duty to my client 3 to ask certain questions. 4 Have you ever been the victim of 5 a crime, assaults or anything like that? Has 6 anybody ever assaulted you? 7 A. Yes. 8 Q. Do you recall who assaulted you? 9 A. Larry. 10 Q. Larry Hamilton? 11 A. Yes. 12 Q. Did you -- did he -- was he 13 charged criminally as a result of the assault? 14 A. No. 15 Q. Anyone other than Larry ever 16 physically assault you? 17 A. No. 18 Q. Is that the only time you recall 19 being the victim of a crime or criminal 20 activity? 21 A. I really don't recall. 22 Q. Prior to the events of January 23 the 16th of 2015 -- and instead of me</p>	<p style="text-align: right;">Page 188</p> <p>1 Q. When you were going through any 2 of your -- the four divorces did you seek 3 mental health professional care when you were 4 going through those proceedings? 5 A. Nope. 6 Q. Since the concert, have you been 7 married? 8 A. No. 9 Q. Do you recall the last year -- 10 the year that you and Mr. Redmond divorced? 11 A. I do not recall. 12 Q. Did TDH ever -- has she 13 always -- I think Ed asked you this. Has she 14 always resided with you, TDH? 15 A. Yes. 16 Q. So at the times of your 17 marriages she always lived with you as well? 18 A. Yes. When she was born. She 19 wasn't born the first -- 20 Q. I understand. During your 21 marriage to Daniel, Tony and Eric she lived 22 with you? 23 A. Yes.</p>

<p style="text-align: right;">Page 189</p> <p>1 Q. Has TDH been a recipient of 2 Medicaid since the time she was born? 3 A. No. 4 Q. At what point in time did she 5 become a recipient of Medicaid benefits? 6 A. I don't recall. 7 Q. Was she a young child when that 8 happened? 9 A. No. 10 Q. Does TDH have any other health 11 insurance available to her other than through 12 Medicaid? 13 A. At this time? 14 Q. Correct. 15 A. No. 16 Q. Has she had medical benefits 17 available to her other than Medicaid at other 18 times? 19 A. Yes. 20 Q. Through your husband -- through 21 your marriages, maybe your husband's 22 employment? 23 A. No. We had Blue Cross Blue</p>	<p style="text-align: right;">Page 191</p> <p>1 your understanding? 2 A. I was in jail, arrested. I 3 don't know what hospital. I don't recall. 4 Q. You never made any inquiry as to 5 what hospital your daughter was taken to after 6 the concert? 7 A. I believe it was Gadsden 8 Regional. 9 Q. Have you ever spoken with anyone 10 at Gadsden Regional Medical Center about what 11 happened that night? 12 A. No. 13 Q. Did you ever make any inquiry 14 through someone else as to whether or not your 15 daughter received treatment at Gadsden 16 Regional Medical Center the night of the 17 concert? 18 A. I think just through my 19 attorney. 20 Q. Please don't tell me anything 21 you and your attorneys have discussed. 22 The place where you live now, do 23 you own that home?</p>
<p style="text-align: right;">Page 190</p> <p>1 Shield for many years. 2 Q. All right. Was that through -- 3 was that provided through an employer of yours 4 or through an employer of your husband? 5 A. Private pay. 6 Q. Why did -- to try to expedite 7 matters, was TDH a Medicaid recipient at the 8 time of the concert? 9 A. Yes. 10 Q. And has that been uninterrupted 11 Medicaid coverage from the time of the concert 12 to present day? 13 A. Yes. 14 Q. Once again, I told you I would 15 skip around. 16 As far as the night of the 17 concert, when TDH went to the hospital, did 18 you ever get billed by the hospital for 19 anything? 20 A. I don't recall. 21 Q. Please correct me if I'm wrong, 22 but it's my understanding TDH was taken to 23 Gadsden Regional after the concert. Is that</p>	<p style="text-align: right;">Page 192</p> <p>1 A. Yes. 2 Q. All right. Is there a mortgage 3 on the home? 4 A. Yes, sir. 5 Q. Who do you owe your mortgage 6 payments to? 7 A. Guild Mortgage. 8 Q. Are you the only person on the 9 deed? 10 A. Yes, sir. 11 Q. To that home? 12 And in addition to the home you 13 own right now, which I think is in 14 Southside -- is that right? 15 A. No. 16 Q. I'm sorry. Where do you live 17 now? 18 A. Gadsden. 19 Q. Gadsden. Other than the home 20 you currently own in Gadsden, have you ever 21 owned another home? 22 A. Yes. 23 Q. Where were those homes where you</p>

<p style="text-align: right;">Page 193</p> <p>1 have owned, where you were on the deed? 2 A. Miller. 3 Q. What street, Miller Street? 4 A. Miller Drive. 5 Q. Okay. Any others? I know you 6 have discussed earlier that you have lived in 7 numerous places throughout the years, and you 8 have told me you owned two of the homes. You 9 own the one you are in now and the one on 10 Miller Drive? 11 A. Yes, sir. 12 Q. Did you have landlords at the 13 other places where you were renting? 14 A. Actually, I had two because I 15 was naive. Yeah, they were landlords. 16 Q. Have you ever been evicted from 17 any place where you lived? 18 A. I don't recall that, no. 19 Q. You don't recall receiving any 20 kind of notice from the landlord saying time 21 to get out? 22 A. No. 23 Q. Or going to court over any kind</p>	<p style="text-align: right;">Page 195</p> <p>1 row. 2 Q. Any other source of income other 3 than from Jackson Hewitt and cleaning houses? 4 A. No. 5 Q. Does anyone assist you in 6 cleaning houses? Do you have any employees? 7 A. No. 8 Q. You do that by yourself? 9 A. Yes. 10 Q. As you have had time to sit here 11 today and think, can you think of any other 12 employers you have had in the past ten years 13 other than the ones you have already 14 mentioned? 15 A. No. 16 Q. Do you receive Social Security 17 benefits arising out of your husband's death? 18 A. Yes. 19 Q. You still get that as well? 20 A. My daughter does. 21 Q. Which one? 22 A. The youngest one, [REDACTED]. 23 Q. [REDACTED]. Thank you. Does</p>
<p style="text-align: right;">Page 194</p> <p>1 of eviction? 2 A. No. 3 Q. I know it's been a long day for 4 you. You have mentioned two restaurants where 5 you recall working in the past, and then you 6 own your own business now where you clean 7 house. 8 Approximately how many regular 9 clients do you have in your current business? 10 A. It fluctuates because of the 11 times of the month and different things. You 12 know, holidays, of course, are more. And last 13 year it was -- you know, because of the 14 situation, it dwindled very low. So I keep -- 15 I do very little at the moment. 16 Q. Other than the money you derive 17 or obtain from cleaning houses, do you have 18 any other source of income? 19 A. I work for Jackson Hewitt during 20 the tax season. 21 Q. You still do that job during the 22 tax season? 23 A. I have done that two years in a</p>	<p style="text-align: right;">Page 196</p> <p>1 [REDACTED], TDH, and [REDACTED]? 2 A. It's [REDACTED], [REDACTED], TDH and 3 [REDACTED]. 4 Q. I'm sorry. I'm talking about 5 the ones from your marriage to Daniel. 6 A. (Witness nods head.) 7 Q. So your youngest daughter still 8 receives Social Security benefits arising out 9 of her dad's death? 10 A. Yes. 11 Q. Is there any reason why TDH 12 doesn't receive those benefits that you're 13 aware of? 14 A. She doesn't -- no. I don't 15 understand. 16 Q. Has TDH ever received Social 17 Security benefits relating to her dad's death? 18 A. Yes. 19 Q. Do you know why those were 20 terminated? 21 A. Isn't it that her age -- 22 MR. HARP: If you know. 23 THE WITNESS: I don't know.</p>

Page 197	Page 199
1 Q. Do you know when they stopped?	1 you.
2 A. Last year.	2 Q. Has that happened with all of
3 Q. How old is TDH now, 18?	3 your daughters?
4 A. Yes.	4 A. I'm --
5 Q. I cannot recall if you answered	5 MR. HARP: Just yes or no. Just
6 this or not.	6 answer his question.
7 Do you recall TDH ever living	7 A. Yes.
8 with [REDACTED] for any period of time?	8 Q. Have there been any times in the
9 A. No.	9 past -- let me break that down.
10 Q. Have you ever told TDH that she	10 Prior to the concert were there
11 needs to find another place to live?	11 any times you have ever called for police
12 A. I'm sure I have.	12 assistance to your home?
13 Q. Okay. During those times did	13 A. Yes.
14 she go find somewhere to stay temporarily?	14 Q. How many times?
15 A. Like move her stuff out, no. Go	15 A. I don't recall.
16 stay at her friend's for a couple of days or	16 Q. Do you recall if you have ever
17 [REDACTED]'s or [REDACTED]'s when he had his	17 called for the assistance of Rainbow City
18 apartment -- I mean, yeah, we have taken	18 police officers to come to your house?
19 breaks before.	19 A. Yes.
20 Q. Do you know what the longest	20 Q. Do you know how many times?
21 break you have ever taken was?	21 A. Do you want me to guess?
22 A. I don't recall.	22 MR. HARP: Nope.
23 Q. Would it have been more than a	23 Q. No. ,
	Page 200
1 month?	1 A. Then no, I don't know how many
2 A. I don't think so.	2 times.
3 Q. Do you know how many times	3 Q. Would it have been more than
4 that's happened where you may have needed a	4 five times?
5 break from her or she needed a break from you	5 A. No.
6 and she moved somewhere else temporarily?	6 Q. More than three times?
7 A. I don't have -- taking a break	7 A. I don't know.
8 from each is what I meant.	8 Q. Do you recall the circumstances
9 Q. I apologize, then.	9 in which you felt the need to call the Rainbow
10 A. I meant take a break from	10 City police department for assistance?
11 whatever the issue was at the moment.	11 A. The specific circumstances, no.
12 Q. Okay. What kind of issues, to	12 But as a single mom, I mean, I would call
13 the best of your memory, developed which led	13 for -- I just thought that I could call them
14 to her temporarily moving somewhere else?	14 for assistance because I was alone.
15 A. She -- teenage daughters, I	15 Q. The times you called -- let's
16 mean, you're grounded, take your phone away or	16 just say Rainbow City for a moment.
17 something like that.	17 The times you called the Rainbow
18 Q. Okay. I understand. I have a	18 City police department for assistance, was it
19 teenager. But do you recall how many times	19 related to you being a victim of a crime, the
20 that's happened where maybe she didn't exactly	20 breaking in of your house or your car?
21 accept your punishment and decided to live	21 A. I have had that happen before,
22 somewhere else for a while?	22 but I don't specifically know if that was one
23 A. Four daughters, I couldn't tell	23 of the reasons.

<p style="text-align: right;">Page 201</p> <p>1 Q. I may not be asking good 2 questions. 3 Tell me what you can recall 4 about the circumstances wherein you have had 5 to call for the assistance of the Rainbow City 6 police department? 7 A. The sisters arguing and -- 8 Q. Your daughters arguing? 9 A. Yeah. 10 Q. Okay. 11 A. And wanting to leave without 12 permission. And I think I called because, you 13 know, I wanted them to know that I didn't 14 approve of that, you know, she wasn't allowed 15 to leave. 16 Q. You said she -- 17 A. Whatever -- whatever child at 18 the moment, like -- you know what I mean? I 19 don't remember specifically. But when I did 20 call them, it was to help me with just that 21 kind of situation. 22 Q. Okay. And did a police officer 23 or officers respond to that call and come to</p>	<p style="text-align: right;">Page 203</p> <p>1 called for the assistance of the Rainbow City 2 police department in the past? 3 A. Not to my knowledge. 4 Q. Have there been any times where 5 the Rainbow City police department officers 6 have come to your house without you calling? 7 A. Maybe. 8 Q. All right. In other words, are 9 you aware of anyone else ever making a call to 10 the police department for them to respond to 11 your house? 12 A. I recall one time a neighbor -- 13 they showed up at my house. And it was the 14 chief of police, after the concert, and 15 another officer. And I answered the door, and 16 I was kind of confused on what was going on. 17 He said that there was a -- they got a call to 18 come here. I said I'm sorry, you must have 19 the wrong house. I thought they were -- 20 because they are across the street. There was 21 a commotion across the street. And so he 22 stood -- they stood in the yard. And he 23 called on a walkie talkie to find out who</p>
<p style="text-align: right;">Page 202</p> <p>1 your house? 2 A. Yes. 3 Q. How were you treated during 4 those occasions? 5 A. It depended on the officer. 6 Q. Do you recall any bad 7 experiences? 8 A. Define bad. 9 Q. Well, do you recall any times 10 where a police officer in Rainbow City came to 11 your house and treated you inappropriately? 12 MR. HARP: Just when she called 13 or in general? 14 Q. When you called for their 15 assistance? 16 A. Define inappropriate. 17 Q. That is hard for me to do. 18 That's very subjective. 19 A. Exactly my point. 20 Q. All right. Let me start back 21 over. 22 Have there been any times to the 23 best of your memory any of your children have</p>	<p style="text-align: right;">Page 204</p> <p>1 called. And they said a neighbor. And they 2 didn't know why they were there so -- 3 Q. Had there been any kind of 4 arguing going on? 5 A. No. 6 Q. Prior to that? 7 A. No. 8 Q. Did you ever find out -- 9 anything about why they came to your house 10 that time? 11 A. No. And then the chief of 12 police said I know who you are and if you are 13 lying I will arrest you. 14 Q. Okay. 15 A. And I was -- that's all I know. 16 Q. All right. This was after the 17 concert? 18 A. Uh-huh (indicating yes). 19 Q. Is that yes? 20 A. Yes, sir. 21 Q. So the police chief, who are you 22 referring to? Do you know his name? 23 A. I believe it's Carroll.</p>

<p style="text-align: right;">Page 205</p> <p>1 Q. Was there anyone else with Chief 2 Carroll when he came to your house? 3 A. Yes, sir. 4 Q. Do you know the name of that 5 officer or officers? 6 A. No, no. 7 Q. And so you -- you received a 8 knock on the door or the door bell rang? 9 A. Uh-huh (indicating yes). 10 Q. And he said someone had called? 11 A. He said do you need assistance, 12 and I said -- I think that's what he said. 13 And I said no, sir. And he said -- I said 14 why, is there a problem? And he said -- let 15 me think. It was just kind of confusion of 16 they didn't understand -- I didn't know what 17 was going on. I didn't understand why they 18 were there. So we kind of like in the yard -- 19 or on the front porch, and I was just -- I 20 don't know why you are here. What's the 21 issue? And that's when the chief of police 22 told him to find out what is going on, like 23 who made the phone call, what was the</p>	<p style="text-align: right;">Page 207</p> <p>1 Q. Prior to that, prior to the 2 concert, do you know of any times where 3 someone else called for the Rainbow City 4 police department officers to come to your 5 house? 6 A. I do not recall, no. 7 Q. The times that the Rainbow City 8 police officers did come to your house, were 9 any arrests made? 10 A. No. 11 Q. Did they offer assistance to you 12 -- let me back that up. 13 The times you called for 14 assistance, did they speak with your daughters 15 about what was going on? 16 A. Yes. 17 Q. All right. Did it seem to solve 18 the problem for the moment? 19 MR. HARP: Object to the form. 20 Q. Did it seem to resolve the 21 differences that your children may have been 22 having which led to your call? 23 A. Say it again.</p>
<p style="text-align: right;">Page 206</p> <p>1 information on the call. And he called, did a 2 thing right here (indicating), and they just 3 said it was a neighbor and nothing else. 4 Q. Okay. 5 A. So then he said -- made that 6 statement, and then they just left. 7 Q. All right. So they took no 8 action? 9 A. No. 10 Q. Okay. 11 A. There was nothing wrong. 12 Q. Did you ever ask your neighbors 13 if they had made a call complaining about you? 14 A. Yes. 15 Q. What did they say? 16 A. No. 17 Q. Did you ask all your neighbors? 18 A. Well, the neighbors that I spoke 19 to at the time, yes. 20 Q. So is that the only time after 21 the concert that Rainbow City police officers 22 have been at your house? 23 A. I believe so, yes.</p>	<p style="text-align: right;">Page 208</p> <p>1 Q. Sure. The times that the police 2 officers of Rainbow City came to your house, 3 wherein you made the call, did their 4 assistance in arriving at your home help you 5 deal with the crisis at the moment? 6 A. No. 7 Q. Why not? 8 A. Because they are limited. They 9 can't -- there's nothing that -- there wasn't 10 a serious enough issue for them to do 11 anything. It was more of a mother-daughter -- 12 you know what I mean? Like an argument. 13 There was no crime or a law broken, so to 14 speak. It was more of a personal mother- 15 daughter thing. 16 Q. Okay. 17 A. So there was nothing. 18 Q. Prior to the concert did TDH 19 ever threaten to leave home where you said you 20 are not leaving home? 21 A. I'm sure, yeah. 22 Q. Is that one of the occasions or 23 more than one of the occasions when you called</p>

<p style="text-align: right;">Page 209</p> <p>1 the police?</p> <p>2 MR. HARP: Object to the form.</p> <p>3 Q. You can answer.</p> <p>4 A. Say it again, please.</p> <p>5 Q. Sure. I believe you said that</p> <p>6 you felt sure that there were times prior to</p> <p>7 the concert where TDH threatened to leave</p> <p>8 home. Is that correct?</p> <p>9 A. Most -- yeah.</p> <p>10 Q. On one or more of those</p> <p>11 occasions, when TDH threatened to leave, did</p> <p>12 you tell her she could not leave?</p> <p>13 A. Yes.</p> <p>14 Q. Are any of those occasions when</p> <p>15 you called the police?</p> <p>16 A. I thought I already answered</p> <p>17 that.</p> <p>18 Q. You may have, and I apologize.</p> <p>19 Is that -- do you recall calling</p> <p>20 the police because of a situation where TDH</p> <p>21 wanted to leave home and you didn't want her</p> <p>22 to leave home?</p> <p>23 A. I don't recall specifically why</p>	<p style="text-align: right;">Page 211</p> <p>1 arrested -- you said you were intoxicated. It</p> <p>2 had something to do with a cheating boyfriend;</p> <p>3 is that right? I don't want to</p> <p>4 mischaracterize your testimony. When you were</p> <p>5 arrested before. Where was that arrest made?</p> <p>6 A. Which one?</p> <p>7 Q. Years ago.</p> <p>8 A. The one --</p> <p>9 Q. Prior to the concert, where you</p> <p>10 were arrested -- you said you were intoxicated</p> <p>11 and it had something do with an old boyfriend.</p> <p>12 A. Yeah, uh-huh (indicating yes).</p> <p>13 Rainbow City.</p> <p>14 Q. Who made that arrest, which</p> <p>15 department?</p> <p>16 A. Rainbow City, I would imagine.</p> <p>17 Q. You were living in Rainbow City</p> <p>18 at the time?</p> <p>19 A. No. I lived in Southside.</p> <p>20 Q. I'm sorry. You have already</p> <p>21 answered that.</p> <p>22 MR. HARP: Yes, she has.</p> <p>23 Q. So were you taken to the Etowah</p>
<p style="text-align: right;">Page 210</p> <p>1 -- why --</p> <p>2 Q. Okay.</p> <p>3 A. But --</p> <p>4 Q. Has any -- I believe you</p> <p>5 mentioned your other daughters too.</p> <p>6 Have you had to call the police</p> <p>7 regarding any issue you were having with your</p> <p>8 other two daughters who were at home?</p> <p>9 A. I believe I have.</p> <p>10 Q. Do you know the circumstances</p> <p>11 surrounding that?</p> <p>12 A. ██████. There was an issue with</p> <p>13 her at one time.</p> <p>14 Q. What was the issue?</p> <p>15 A. Her and TDH. I don't really</p> <p>16 recall.</p> <p>17 Q. Have ██████ and TDH ever gotten</p> <p>18 into a physical altercation where you had to</p> <p>19 call the police?</p> <p>20 A. Fist fight, no. A shoving match</p> <p>21 and calling each other names, yes.</p> <p>22 Q. Okay. The time that you were</p> <p>23 talking about years ago where you were</p>	<p style="text-align: right;">Page 212</p> <p>1 County jail on that occasion?</p> <p>2 A. I don't recall.</p> <p>3 Q. Do you recall being</p> <p>4 incarcerated, being put in a cell?</p> <p>5 A. I don't recall.</p> <p>6 Q. Do you recall having a booking</p> <p>7 photo made?</p> <p>8 A. I just remember the incident,</p> <p>9 but I don't remember like the charge or</p> <p>10 anything, like the specifics, because it was</p> <p>11 like nine years ago.</p> <p>12 Q. Do you recall being transported</p> <p>13 in a police vehicle?</p> <p>14 A. I was intoxicated and -- I mean,</p> <p>15 I just don't remember the specifics.</p> <p>16 Q. That's the only other time you</p> <p>17 have ever been arrested other than the night</p> <p>18 of the concert?</p> <p>19 A. I believe so, yes.</p> <p>20 Q. What about in -- not just by</p> <p>21 Rainbow City but by any other law enforcement</p> <p>22 agency, whether it was in Kentucky or Florida</p> <p>23 or Alabama? Have you ever been arrested?</p>

<p style="text-align: right;">Page 213</p> <p>1 A. I don't recall being arrested 2 before.</p> <p>3 Q. Was TDH prior to the concert 4 already being treated by Dr. Kelly? It's Jay 5 Kelly, isn't it, Dr. Jay Kelly?</p> <p>6 A. I'm not sure.</p> <p>7 MR. HARP: What are you not sure 8 about, whether his name is Jay Kelly or 9 whether she was being treated prior to the 10 concert by Jay Kelly?</p> <p>11 THE WITNESS: Both.</p> <p>12 Q. What led to the change in her 13 neurologist? I think there was a doctor here 14 in Gadsden she was seeing, a neurologist, and 15 then later she started seeing Dr. Russell. 16 What led to that change?</p> <p>17 A. Dr. Russell was referred by 18 Children's.</p> <p>19 Q. All right. So after the 20 incident where your daughter was -- had a 21 seizure in that field and was taken to 22 Children's, at that point forward she only 23 went to see Dr. Russell regarding her</p>	<p style="text-align: right;">Page 215</p> <p>1 certain place?</p> <p>2 A. No. They -- it's when I was 3 there. It was the other woman's -- we 4 followed him to this woman's house.</p> <p>5 Q. You caught the cheating 6 boyfriend at his girlfriend's house?</p> <p>7 A. Right. And the girlfriend asked 8 me to leave.</p> <p>9 Q. The bankruptcy you filed in 10 2011, have you received a discharge from that 11 bankruptcy?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Other than calling for the 14 assistance of the Rainbow City police officers 15 in prior occasions, have you had to call on 16 the assistance of any other law enforcement 17 agency to come to your home for any reason?</p> <p>18 A. No.</p> <p>19 Q. So the only time you have ever 20 had to call the police related to something 21 with your daughters is when you were living in 22 Rainbow City?</p> <p>23 MR. HARP: Object to the form.</p>
<p style="text-align: right;">Page 214</p> <p>1 seizures?</p> <p>2 A. Correct.</p> <p>3 Q. When is the last time to your 4 knowledge that TDH has seen Dr. Russell?</p> <p>5 A. I don't recall.</p> <p>6 Q. Ms. Helm, do you recall 7 receiving any correspondence from Medicaid 8 after the concert wherein they are asking you 9 to reimburse them for any money they have paid 10 for TDH's medical treatment? Have you 11 received any such correspondence asking for 12 reimbursement to Medicaid?</p> <p>13 A. I --</p> <p>14 Q. You are not aware of that?</p> <p>15 A. No, no.</p> <p>16 Q. Have you ever had a restraining 17 order entered against you?</p> <p>18 A. I don't think so.</p> <p>19 Q. And the reason I ask that is I 20 believe you testified during that incident 21 where you were arrested years ago -- you said 22 you were at a place you were not supposed to 23 be. Had you been ordered not to be in a</p>	<p style="text-align: right;">Page 216</p> <p>1 A. I don't recall specifically.</p> <p>2 Q. Do you know if TDH has ever been 3 suspended from school?</p> <p>4 A. Yes.</p> <p>5 Q. Do you know the circumstances --</p> <p>6 MR. HARP: Whoa, whoa. Has she 7 been suspended from school, or do you know 8 whether or not she has been suspended?</p> <p>9 THE WITNESS: She has.</p> <p>10 MR. HARP: Okay.</p> <p>11 Q. What were the circumstances 12 surrounding that?</p> <p>13 A. I don't recall.</p> <p>14 Q. And what school was it?</p> <p>15 A. Southside High School.</p> <p>16 Q. Okay. You don't recall what it 17 was for?</p> <p>18 A. No.</p> <p>19 Q. Has she ever been expelled from 20 any school?</p> <p>21 A. No.</p> <p>22 Q. Do you know how many days she 23 was suspended the time that you do remember?</p>

<p style="text-align: right;">Page 217</p> <p>1 A. In-school suspension, no.</p> <p>2 Q. Do you know if she has ever been 3 in fights in school that led to a suspension?</p> <p>4 A. I do not recall that.</p> <p>5 Q. Correct me if I'm mistaken, if 6 I'm remembering incorrectly, but I think you 7 said you witnessed TDH having a seizure in the 8 field near your home; is that correct?</p> <p>9 A. Yes.</p> <p>10 Q. This time she had dirt on her?</p> <p>11 A. Yeah, yes.</p> <p>12 Q. Other than that occasion and the 13 concert, have you ever seen her in the middle 14 of a seizure?</p> <p>15 A. No.</p> <p>16 Q. Have you spoken with others who 17 have witnessed her having a seizure in the 18 past?</p> <p>19 A. Yes.</p> <p>20 Q. Do you know if she has ever been 21 able to speak and verbalize and carry on a 22 conversation with someone during her seizure 23 activity?</p>	<p style="text-align: right;">Page 219</p> <p>1 photographs of her tasing.</p> <p>2 Q. Do you know if those photographs 3 still exist?</p> <p>4 A. I do not.</p> <p>5 Q. Do you know if they were taken 6 on your phone -- by your phone?</p> <p>7 A. Not my phone I have currently 8 but whatever phone I had back at that time.</p> <p>9 Q. Do you still have that phone?</p> <p>10 A. I have no clue.</p> <p>11 Q. You don't recall who took the 12 photographs?</p> <p>13 A. No.</p> <p>14 Q. Do you recall when they were 15 taken?</p> <p>16 A. The specific day, no.</p> <p>17 Q. Have you seen any videos that 18 were taken by anyone on the night of the 19 concert?</p> <p>20 A. No.</p> <p>21 Q. You were talking about earlier 22 some of your hobbies -- I think you used the 23 plural word hobbies instead of hobby. This is</p>
<p style="text-align: right;">Page 218</p> <p>1 A. I don't recall what they said 2 about -- if she spoke, because we didn't -- 3 that wasn't like -- I mean -- who cares? 4 Like, we -- you know --</p> <p>5 Q. I'm just asking if you know.</p> <p>6 A. No, I have no clue, no.</p> <p>7 Q. I know you testified that you 8 were tased one time in the lower back on the 9 night of the concert.</p> <p>10 Did you have anyone take 11 photographs of any markings resulting from 12 that tase -- tasing?</p> <p>13 A. I think so, yes.</p> <p>14 Q. Who took the photographs?</p> <p>15 A. I don't recall.</p> <p>16 Q. Do you still have the 17 photographs?</p> <p>18 A. I'm not sure.</p> <p>19 Q. Do you recall having turned them 20 over to your attorneys?</p> <p>21 A. I believe so, yes.</p> <p>22 MR. HARP: I'm going to go ahead 23 and go on the record and say I don't have any</p>	<p style="text-align: right;">Page 220</p> <p>1 why I'm asking this.</p> <p>2 You work out in a gym; is that 3 correct?</p> <p>4 A. I wouldn't go that far. I like 5 to be active.</p> <p>6 Q. Do you still go to that Planet 7 Fitness?</p> <p>8 A. No.</p> <p>9 Q. Are you still a member there?</p> <p>10 A. No. I think -- no.</p> <p>11 Q. When was the last time you 12 recall having a membership at Planet Fitness?</p> <p>13 A. I think we just canceled it.</p> <p>14 Q. Being this year?</p> <p>15 A. This month.</p> <p>16 Q. June of 2016?</p> <p>17 A. Yes.</p> <p>18 Q. Other than having gone to Planet 19 Fitness at some point in the past, do you have 20 any other hobbies outside of the home?</p> <p>21 A. No.</p> <p>22 Q. Are you currently dating anyone?</p> <p>23 A. No.</p>

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<p>1 Q. Have you dated anyone 2 romantically since the time of the concert? 3 A. No. 4 Q. Does TDH have any restrictions 5 on her driver's license concerning her seizure 6 activity? 7 A. At the moment, no. 8 Q. Has her license -- has her 9 driver's license been revoked in the past or 10 suspended because of medical reasons? 11 MR. HARP: If you know. 12 A. I don't know. 13 Q. I'm only asking that because I'm 14 aware of someone who has had seizures, and 15 they had their license suspended until they 16 got a clearance by a doctor. Has that ever 17 happened to TDH? 18 A. The doctor told her she couldn't 19 drive. But I'm not sure if it went -- like 20 suspension of the license or anything. She 21 was just restricted by the doctor not to drive 22 until she was cleared. 23 Q. I'm sorry. Which doctor?</p>	<p>1 A. She told me. 2 Q. What did she tell? 3 A. What she remembers. 4 Q. Tell me what she told you about 5 her experience at the hospital. 6 A. She was brought in in a nine- 7 point restraint with gauze in her mouth. And 8 she was experiencing in the hallway -- she 9 asked to see me or to call me and they told 10 her -- the police officers told her that -- 11 they laughed at her and told her that she 12 would not be getting me because they were 13 going to put her in Mountain View and I was 14 already arrested and in jail and I was going 15 to sit there. 16 Q. Anything else? 17 A. I don't really recall. I don't 18 think she remember -- I don't remember her 19 telling me specifics about, you know, the 20 doctor did this or the doctor did that. I 21 just remember her -- her explaining that to me 22 and that they released her. 23 Q. Did you ever attempt to get a</p>
Page 222	Page 224
<p>1 A. I believe that was Dr. Dallas -- 2 I mean -- 3 Q. Dr. Russell? 4 A. Uh-huh (indicating yes). 5 Q. Is that yes? 6 A. Yes. 7 Q. So to the best of your memory he 8 restricted TDH's driving for a period of time 9 and ultimately released her from that 10 restriction? 11 A. I don't really recall the 12 details. 13 Q. During that time when 14 Dr. Russell told her she should not be 15 driving, did she drive? 16 A. No. 17 Q. Currently, in June of 2016, does 18 she have any restrictions you're aware of from 19 her physicians about her driving? 20 A. No. 21 Q. Has anyone told you what 22 happened at the hospital the night of the 23 concert when TDH was taken to the hospital?</p>	<p>1 copy of the medical records associated with 2 that night in the hospital? 3 A. Via my attorney, I believe. 4 Q. Did you ever call anyone at the 5 hospital and ask what happened that night? 6 A. No. 7 Q. Or what treatment was provided 8 to TDH? 9 A. No. 10 Q. I know you testified earlier 11 that -- we know from looking at the calendar 12 the concert was on Friday, and you didn't see 13 TDH until Sunday; is that correct? 14 A. Correct. 15 Q. All right. Any particular 16 reason why you didn't see her Saturday? 17 A. She was asleep. 18 Q. Okay. Did you ever -- and then 19 Sunday you went to [REDACTED]'s boyfriend's dad's 20 house; is that right? Am I saying that 21 correctly? 22 A. [REDACTED]'s father's house. 23 Q. [REDACTED]'s father's house, right.</p>

<p style="text-align: right;">Page 225</p> <p>1 Sunday you went to his house?</p> <p>2 A. Yes.</p> <p>3 Q. What is Emma's father's name?</p> <p>4 A. Debo.</p> <p>5 MR. HARP: What is his real</p> <p>6 name?</p> <p>7 THE WITNESS: Dan Fells.</p> <p>8 Q. Okay. After the concert did you</p> <p>9 make any special appointment for TDH to see a</p> <p>10 medical doctor -- let me strike that.</p> <p>11 After the concert, do you recall</p> <p>12 calling a doctor or making a special</p> <p>13 appointment for TDH?</p> <p>14 A. Say it again.</p> <p>15 Q. Sure. Let me preface it with</p> <p>16 this: It's my understanding that TDH was</p> <p>17 seeing Dr. Russell periodically for checkups</p> <p>18 every three months, I think is what TDH told</p> <p>19 us.</p> <p>20 Do you recall calling</p> <p>21 Dr. Russell and asking for an expedited</p> <p>22 appointment after the concert?</p> <p>23 A. Yes, I don't really.</p>	<p style="text-align: right;">Page 227</p> <p>1 Q. Did you ever have to go to court</p> <p>2 after your arrest to answer to any charges</p> <p>3 which had been levied against you?</p> <p>4 A. No.</p> <p>5 Q. I'm confused about something.</p> <p>6 Do you recall -- you said you recall speaking</p> <p>7 with someone but you didn't know if they</p> <p>8 represented Rainbow City or you. Was that at</p> <p>9 court or --</p> <p>10 A. What are you talking about?</p> <p>11 Q. I believe you were testifying</p> <p>12 earlier about you recall speaking with someone</p> <p>13 about the criminal charges. You didn't know</p> <p>14 if they were for Rainbow City or for you. Was</p> <p>15 that an attorney you were speaking with?</p> <p>16 A. The piece of paper that tells</p> <p>17 you the date to come to court in Rainbow City.</p> <p>18 I went there and filled out the paper for an</p> <p>19 attorney because they -- the judge tells you</p> <p>20 to -- whoever has an attorney to come forward</p> <p>21 and whoever needs one, whatever.</p> <p>22 Q. Right.</p> <p>23 A. And he came out in the hallway</p>
<p style="text-align: right;">Page 226</p> <p>1 Q. Or any doctor even if it's not</p> <p>2 Dr. Russell?</p> <p>3 A. I mean, I took her for medical</p> <p>4 treatment to both of them.</p> <p>5 Q. And do you know -- that's what</p> <p>6 I'm trying to get at. Do you know when?</p> <p>7 A. No.</p> <p>8 Q. The first time she saw them?</p> <p>9 A. No. That's what I don't recall,</p> <p>10 what day it was.</p> <p>11 Q. Would it have been the same</p> <p>12 week, the week following the concert?</p> <p>13 A. It would be safe to say it was</p> <p>14 very close.</p> <p>15 Q. When you were at the Etowah</p> <p>16 County jail and you said were placed in the</p> <p>17 cell with two other women, did anything bad</p> <p>18 happen to you in the cell?</p> <p>19 MR. HARP: Object to the form.</p> <p>20 A. No.</p> <p>21 Q. Were you harmed in any way while</p> <p>22 you were in the cell?</p> <p>23 A. No.</p>	<p style="text-align: right;">Page 228</p> <p>1 and told me that he -- I don't recall what he</p> <p>2 exactly said. But it was basically he did not</p> <p>3 understand what was the problem with my</p> <p>4 particular situation, that he would -- for me</p> <p>5 just to -- I don't remember how that went. I</p> <p>6 just remember they let me go.</p> <p>7 Q. Was that at municipal court,</p> <p>8 like Rainbow City municipal court?</p> <p>9 A. Yes.</p> <p>10 Q. On one occasion?</p> <p>11 A. Correct.</p> <p>12 Q. And you were just told by</p> <p>13 someone that you could leave?</p> <p>14 A. Yes, and that -- yes.</p> <p>15 Q. Other than TDH, did one of your</p> <p>16 other daughters go to the concert that night?</p> <p>17 A. Yes.</p> <p>18 Q. Was it [REDACTED]?</p> <p>19 A. No. [REDACTED]</p> <p>20 Q. [REDACTED]?</p> <p>21 A. Yes.</p> <p>22 Q. Did you know [REDACTED] was going</p> <p>23 to the concert as well?</p>

<p style="text-align: right;">Page 229</p> <p>1 A. Yes. 2 Q. Do you know how she got to the 3 concert? 4 A. I don't recall. 5 Q. All right. Was she already 6 driving age at that time? 7 A. No. 8 Q. Since the concert, are you aware 9 of TDH having gone to any sporting events or 10 concerts? 11 A. Not to my knowledge. 12 Q. Since the concert, has there 13 been any period of time where TDH has stayed 14 with someone else for more than a week other 15 than your own home? 16 A. I don't recall longer than that. 17 Q. Since the concert, have there 18 been any times where you have asked TDH to go 19 stay somewhere else for a while? 20 A. I don't recall. 21 Q. Since the concert, has TDH ever 22 told you she was going to stay somewhere else 23 for a while?</p>	<p style="text-align: right;">Page 231</p> <p>1 already in handcuffs -- you felt the handcuffs 2 at the time you were tased? 3 A. Yes. 4 Q. Have you ever given a statement, 5 other than to your attorneys, about that to 6 anyone else? 7 A. No. 8 Q. How is it that you have come to 9 know or came to know -- Jaymon Palmer? 10 A. Yes. 11 Q. How do you know him? When did 12 you first meet Jaymon Palmer? 13 A. My husband was alive, so I don't 14 recall the exact time. 15 Q. Was he a friend of Daniel's? 16 A. No. We went to the same church. 17 Our families went to the same church. 18 Q. What church was that? 19 A. Cross Point. 20 Q. Where is that located? 21 A. Black Creek Highway. 22 Q. What city? I'm not familiar 23 with --</p>
<p style="text-align: right;">Page 230</p> <p>1 MR. HARP: Object to the form. 2 Could you quantify a while? 3 MR. STUBBS: I'm sorry? 4 MR. HARP: Could you quantify a 5 while? She has already stated it hadn't been 6 longer than a week. 7 Q. Since the concert, has TDH ever 8 told you she was going to stay with a friend 9 or with her older sister or anyone else for a 10 few days? 11 A. Yes. 12 Q. What led to that? 13 A. I don't -- 14 Q. I mean, was it an agreeable I'm 15 just going to go stay somewhere else for a few 16 days or I need to get out of the house for a 17 few days? 18 A. It was agreeable. 19 Q. When you were being tased, 20 Ms. Helm, are you sure the handcuffs were on 21 your wrists? 22 A. Yes. 23 Q. You have no doubt that you were</p>	<p style="text-align: right;">Page 232</p> <p>1 A. Gadsden. 2 Q. I interrupted you earlier. I 3 didn't mean to. You said that there were -- 4 you recall a time where your house was broken 5 into? Did I hear that correctly? Has your 6 house been broken into before? 7 A. No. 8 Q. What about your vehicle? Has it 9 been broken into before? 10 A. I don't recall. Wait. Yes, my 11 house has. I'm sorry. 12 Q. Where were you living when your 13 house was broken into? 14 A. Miller Drive. 15 Q. And were things stolen? 16 A. Yes. 17 Q. Do you know what year that was? 18 A. '08. 19 Q. I'm so sorry I keep asking the 20 same questions. Miller Drive is where, 21 Southside? 22 A. Yes, sir. 23 Q. Southside?</p>

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<p>1 A. Yes, sir.</p> <p>2 Q. Did the Southside police respond 3 to that?</p> <p>4 A. I don't recall if it was 5 Southside or Glencoe.</p> <p>6 Q. On the night of the concert you 7 were transported by police vehicle to the 8 Etowah County jail. What happened to your 9 car? How did you get it home, the car you 10 drove to the concert in?</p> <p>11 A. I don't recall.</p> <p>12 Q. When you arrived -- when you got 13 home that morning, after being released from 14 jail, was your car there?</p> <p>15 A. I don't recall if it was my 16 older children handled that or -- you know, I 17 was pretty distraught, you know. I don't 18 remember who handled the car.</p> <p>19 MR. HARP: His question was when 20 you got home after you were released from jail 21 was your car there.</p> <p>22 THE WITNESS: I don't recall. 23 I'm sorry.</p>	<p>1 the concert?</p> <p>2 A. Yes.</p> <p>3 Q. Do you know which doctor 4 prescribed that?</p> <p>5 A. No.</p> <p>6 Q. Do you have a twitter account?</p> <p>7 A. No.</p> <p>8 Q. You mentioned having seen 9 numerous Facebook posts related to the 10 incident at the concert. Out of the ones that 11 you read, did you read anything negative, that 12 you perceived to be negative towards you or 13 your daughter?</p> <p>14 A. I really don't recall.</p> <p>15 Q. Did you print any of those off?</p> <p>16 A. No.</p> <p>17 Q. Did you save any of them in any 18 way?</p> <p>19 A. No.</p> <p>20 Q. Were you ever contacted by a 21 reporter concerning the incident at the 22 concert, by a newspaper reporter?</p> <p>23 A. Yes.</p>
Page 234	Page 236
<p>1 MR. HARP: Are you to -- close 2 to finishing or to a stopping point? If it's 3 a compound question, I will be objecting --</p> <p>4 MR. STUBBS: I don't have a 5 whole lot more. Do you need to take a quick 6 break?</p> <p>7 MR. HARP: I think she is 8 getting tired. Do you need to take a break?</p> <p>9 THE WITNESS: Yeah.</p> <p>10 MR. STUBBS: I know Allison has 11 got some questions too.</p> <p>12 MR. HARP: Okay.</p> <p>13 (Whereupon, a brief recess was 14 taken.)</p> <p>15 Q. (By Mr. Stubbs) Prior to the 16 concert, had you ever been prescribed Xanax 17 for anything else?</p> <p>18 A. No.</p> <p>19 Q. Have you ever been prescribed 20 Zoloft for anything prior to the concert?</p> <p>21 A. Possibly -- maybe.</p> <p>22 Q. Do you recall being prescribed 23 anything for anxiety or depression prior to</p>	<p>1 Q. Did you speak with him or her?</p> <p>2 A. I did.</p> <p>3 Q. And were you quoted in the 4 newspaper about any conversations you had with 5 that reporter?</p> <p>6 A. No, I don't think so, no.</p> <p>7 Q. Did you ever read a newspaper 8 article concerning the incident?</p> <p>9 A. No.</p> <p>10 Q. Do you know which newspaper or 11 media source this reporter worked for?</p> <p>12 A. I think -- no, I don't remember.</p> <p>13 Q. Do you know what -- was it a 14 male or a female?</p> <p>15 A. A male.</p> <p>16 Q. What did you tell him? What do 17 you recall telling that reporter?</p> <p>18 A. I don't know exactly what we 19 said.</p> <p>20 Q. Do you know generally what you 21 said?</p> <p>22 A. I don't want to speculate.</p> <p>23 Q. Do you know how soon after the</p>

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1 concert you were contacted by a reporter?
 2 A. No, I wasn't contacted by a
 3 reporter. I misunderstood the question in the
 4 first place. Sorry. Let's back up.
 5 Q. Have you spoken with a reporter
 6 from the newspaper --
 7 A. No.
 8 Q. -- concerning this incident at
 9 the concert?
 10 A. No, no.
 11 Q. Other than the attorneys with
 12 whom you have spoken, have you given a
 13 statement to anyone, be it verbal or written,
 14 about what happened at the concert?
 15 A. No.
 16 Q. Do you recall if you have been
 17 quoted by anyone concerning the events of the
 18 concert?
 19 A. No.
 20 Q. Did you ever read any article in
 21 any newspaper concerning what happened at the
 22 concert?
 23 A. No.

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1 Q. Has it ever been given to you, a
 2 copy of that?
 3 A. No.
 4 MR. HARP: Object to the form.
 5 Q. This was a bad question.
 6 Has anyone ever told you there
 7 was a newspaper article about what happened at
 8 the concert?
 9 A. No.
 10 Q. To your knowledge has TDH sought
 11 to enroll in any other school since the time
 12 that she left Southside?
 13 MR. HARP: High school or any
 14 school?
 15 Q. Any school?
 16 A. Yes.
 17 Q. Where?
 18 A. Job Corps.
 19 Q. Okay. Anything other than job
 20 Corps?
 21 A. Not to my -- no.
 22 Q. Do you know if anyone from your
 23 family or any of your friends went to the

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1 hospital on the night of the concert to see
 2 TDH?
 3 A. I don't recall.
 4 Q. You don't recall anybody telling
 5 you that they were there and witnessed
 6 anything --
 7 A. [REDACTED]
 8 Q. -- at the hospital?
 9 A. My son.
 10 Q. Do you think [REDACTED] went to the
 11 hospital?
 12 A. Yes.
 13 Q. What did [REDACTED] tell you about
 14 what he witnessed at the hospital?
 15 A. We didn't discuss it.
 16 Q. Just a couple more. When you
 17 arrived at the Center Stages that night of the
 18 concert -- I believe you testified earlier
 19 that you said that's my daughter, she is
 20 having a seizure.
 21 Who were you speaking to when
 22 you made that statement?
 23 A. The police officers and -- that

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1 were on top of her.
 2 Q. All right.
 3 A. It was directed to them.
 4 Whether they could hear me or not, I have no
 5 clue.
 6 Q. So it wasn't directed to anyone
 7 who was trying to restrain you at that moment?
 8 A. No, no.
 9 MR. STUBBS: I think that's all
 10 I have. I appreciate it.
 11 THE WITNESS: Thank you. And my
 12 swollen feet thank you.
 13 MS. CHANDLER: I have just a
 14 few, but really, really brief.
 15
 16 EXAMINATION
 17 BY MS. CHANDLER:
 18 Q. Ms. Helm, my name is Allison
 19 Chandler, and I represent Detective Justin
 20 Gilliland in this lawsuit. And I just have a
 21 couple of follow-up questions for you just for
 22 my own clarification. And I appreciate your
 23 patience with us throughout this afternoon.

<p style="text-align: right;">Page 241</p> <p>1 You said earlier that you and 2 Mr. Helm moved to north Alabama because his 3 brother lived here; is that correct? 4 A. That wasn't the reason. 5 Q. He lived here at the time you 6 moved here? 7 A. Correct. 8 Q. Does he still live in north 9 Alabama? 10 A. I have no clue. 11 Q. And Mariah's son is named [REDACTED] 12 is that correct? 13 A. Yes. 14 Q. Does [REDACTED]'s father live in north 15 Alabama? 16 A. I don't know. 17 Q. Okay. What is his name, if you 18 know? 19 A. Whose name? 20 Q. [REDACTED]'s father. 21 A. Dayton McCoy. 22 Q. And you're not aware if he lives 23 in north Alabama or not?</p>	<p style="text-align: right;">Page 243</p> <p>1 that night? 2 A. No. 3 Q. Had you taken any drugs that 4 night? 5 A. No. 6 Q. After the incident at the 7 concert, TDH saw Dr. Russell and Dr. Kelly? 8 A. Correct. 9 Q. Correct? 10 A. Yes. 11 Q. Has she seen any other doctors 12 or other medical providers for any injuries 13 that she sustained at the concert? 14 A. Physical? 15 Q. Well, let's start with physical. 16 Has she seen any other doctors? 17 A. No, no. 18 Q. What about any emotional or 19 behavioral, psychological issues? 20 A. Stephanie Huey. 21 Q. Okay. Anyone else? 22 A. I don't recall. That's it. 23 Q. And after the incident at the</p>
<p style="text-align: right;">Page 242</p> <p>1 A. I'm unaware of where he lives. 2 Q. Okay. Do you have any 3 photographs of TDH's body after the concert? 4 A. No. 5 Q. You said earlier, I believe, and 6 correct me if I'm wrong, that you have not 7 contacted anybody with Rainbow City or the 8 Rainbow City police department regarding what 9 happened at the concert to you and TDH; is 10 that correct? 11 A. Yes. 12 Q. Has anyone other than your 13 attorney to your knowledge done so on your 14 behalf? 15 A. No. 16 Q. Or about the incident at the 17 concert at all? 18 A. Not to my knowledge, no. 19 Q. Okay. And the night of the 20 concert, before you went to Center Stages, you 21 were at your home on Palace Avenue? 22 A. Yes. 23 Q. Had you consumed any alcohol</p>	<p style="text-align: right;">Page 244</p> <p>1 concert, I believe you testified that you saw 2 Dr. Kelly for treatment; is that correct? 3 A. Yes. 4 Q. Have you seen anyone else after 5 the concert for any physical injuries you 6 suffered? 7 A. No. 8 Q. Have you seen anyone -- medical 9 providers for any emotional or psychological 10 injuries that you have suffered? 11 A. No. 12 Q. Dr. Kelly is the only person 13 that you have seen? 14 A. Yes. 15 Q. At the time of the concert, you 16 were working at your business at Kingdom 17 Cleaning? 18 A. Actually, I was on medical leave 19 for the operation. 20 Q. Right. Did you -- but you had 21 that business at the time of the concert even 22 though you weren't -- you were on medical 23 leave?</p>

<p>1 A. Yes.</p> <p>2 Q. How long did that medical leave 3 last during your -- for your surgery?</p> <p>4 A. I don't recall.</p> <p>5 Q. You don't remember when you 6 began cleaning houses again after that?</p> <p>7 A. No.</p> <p>8 Q. You worked as a server at 9 Mango's restaurant?</p> <p>10 A. Yes.</p> <p>11 Q. What were the circumstances that 12 you left your job at Mango's?</p> <p>13 A. They went bankrupt.</p> <p>14 Q. And what about Velocity? What 15 were the circumstances that you left that 16 position at Velocity?</p> <p>17 A. I don't recall, really.</p> <p>18 Q. Has [REDACTED] told you anything 19 about what she may have witnessed at the 20 concert?</p> <p>21 A. Yes.</p> <p>22 Q. What has she told you?</p> <p>23 A. Basically what we told you.</p>	<p>Page 245</p> <p>1 times she saw TDH be tased?</p> <p>2 A. She has.</p> <p>3 Q. How many times did she tell you 4 that she saw TDH tased?</p> <p>5 A. Three.</p> <p>6 Q. Has she told you anything about 7 what she witnessed with respect to what 8 happened to you?</p> <p>9 A. Yes.</p> <p>10 Q. What has she told you?</p> <p>11 A. She told me she saw them knock 12 me to the ground. She saw me pee all over. 13 She saw them drag me to the concrete wall and 14 put me in the car. She saw all of it.</p> <p>15 Q. Did she tell you that she saw 16 you tased?</p> <p>17 A. Yes.</p> <p>18 Q. When you received the phone call 19 that night -- I know you said you can't 20 remember -- or don't know who it was. When 21 you received the phone call informing you that 22 something was going on with TDH at the 23 concert, what did that caller say to you?</p>
<p>Page 246</p> <p>1 Q. Anything else other than what 2 you have told us today?</p> <p>3 A. Not to my knowledge.</p> <p>4 Q. Did she -- from what she has 5 told you, did she -- what did she witness 6 happened to TDH?</p> <p>7 A. She witnessed her having a 8 seizure in the concert -- in the other side, I 9 guess, and being brought to the back and then 10 officers approaching and her telling them that 11 she was having a seizure. And they asked her 12 -- I don't specifically remember what they 13 specifically asked her, just that she 14 witnessed the whole situation.</p> <p>15 Q. Did she witness TDH being tased 16 at any time?</p> <p>17 A. Yes.</p> <p>18 Q. Which time did she witness TDH 19 being tased?</p> <p>20 A. You will have to ask her.</p> <p>21 Q. You are not sure?</p> <p>22 A. I don't want to speculate.</p> <p>23 Q. She didn't tell you how many</p>	<p>Page 248</p> <p>1 A. TDH is having a seizure, come to 2 the concert.</p> <p>3 Q. Anything else?</p> <p>4 A. No.</p> <p>5 Q. Did you say anything to that 6 person --</p> <p>7 A. No.</p> <p>8 Q. -- who called?</p> <p>9 A. Or if I did, I don't recall.</p> <p>10 Q. Okay. You may have said 11 something. You just don't recall?</p> <p>12 A. Like I'm on my way or could have 13 said something like that, but I just don't 14 recall.</p> <p>15 Q. Okay. When you got to Center 16 Stages and you saw what you have described, I 17 believe, as a crowd of officers on top of TDH, 18 how far away were you from TDH and those 19 officers on top of her? And I don't want you 20 to guess. Just if you have a judgment.</p> <p>21 A. I really don't know how to do 22 that. Like, I can't measure two feet, five 23 feet, nothing like that.</p>

<p style="text-align: right;">Page 249</p> <p>1 Q. Okay. 2 A. I was just on the outside of the 3 doorway, and she was inside the lobby. 4 Q. Were you within your arm's 5 length of the doorway? 6 A. I don't think so. 7 Q. You were further back from the 8 doorway? 9 A. Yes. 10 Q. Do you know how far TDH and the 11 officers that were on top of her were past the 12 doorway? 13 A. No, I don't recall. 14 Q. Do you wear glasses or contacts? 15 A. No. 16 Q. When you saw the officers on top 17 of TDH -- I believe you testified that they 18 were yelling or you heard officers yelling at 19 that point? 20 A. Yes. 21 Q. What were they yelling? 22 MR. HARP: Object to the form. 23 Q. What were the officers yelling?</p>	<p style="text-align: right;">Page 251</p> <p>1 police officer when I was put in the vehicle, 2 and he was telling the officer that I was the 3 mother and that was my daughter and that she 4 had a seizure condition. 5 Q. Did the officer respond to 6 Jaymon? 7 A. He said I can't unarrest her, I 8 think it was. 9 Q. Did anyone else from the crowd 10 say anything to an officer at any other point 11 that you know of? 12 A. I was totally distracted by what 13 was going on with my personal experience. 14 Q. So no one tried to step in and 15 say, hey, don't do that to TDH or do that to 16 you? 17 A. I don't know. 18 Q. Okay. Before you were -- you 19 said you were pulled back or dragged out to 20 the courtyard near the retaining wall? 21 A. Yes. 22 Q. How were you dragged? What part 23 of -- how were the officers holding on to you</p>
<p style="text-align: right;">Page 250</p> <p>1 A. I don't recall. 2 Q. Were they yelling -- if you 3 know, were they yelling at TDH? 4 A. Yeah, they were yelling -- yes. 5 Q. Whatever statements or yells 6 they were making were directed towards TDH? 7 A. Yes. 8 Q. Were they yelling or making any 9 statements towards any members of the crowd, 10 any what we are going to call civilians? 11 A. I don't recall. 12 Q. While you were on the ground 13 with your arms behind your back or handcuffed, 14 did any members of the crowd say anything to 15 the officers who were with you? 16 A. I don't recall. 17 Q. Did any members of the crowd say 18 anything to you at any point? 19 A. I don't recall that. 20 Q. Did anyone try to step in and 21 say, hey, don't do that to her, that's her 22 daughter, something to that effect? 23 A. Jaymon was at the door of the</p>	<p style="text-align: right;">Page 252</p> <p>1 -- officer are officers? 2 A. I don't know if they had me on 3 the side. I don't remember. 4 Q. Were you still -- your whole 5 body on the ground? 6 A. Yes, because when they -- they 7 tased me, and after I urinated my legs were 8 not working right, like I couldn't work them. 9 It was almost like a temporary, you know, 10 like, feet are asleep, you know, you can't 11 walk when you stand up, that kind of feeling. 12 Q. When you were dragged back could 13 you still see TDH's actual body? 14 A. Yes. 15 Q. And then after that you were 16 taken to the patrol car? 17 A. Yes. 18 Q. Is that the last time that you 19 saw TDH at Center Stages? 20 A. Yes. 21 Q. Did you see TDH while she was on 22 a gurney at any point? 23 A. No.</p>

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¹ Q. Did you see any interaction
² between TDH and any paramedics or medical
³ staff?

⁴ A. No.

⁵ Q. Did you see TDH placed in an
⁶ ambulance?

⁷ A. No.

⁸ Q. I believe your testimony was --
⁹ and please correct me if I'm wrong -- that you
¹⁰ saw TDH being tased the first time. You
¹¹ visualized that?

¹² A. Yes.

¹³ Q. And then the other two times you
¹⁴ heard the tase?

¹⁵ A. Yes.

¹⁶ Q. The taser?

¹⁷ A. I saw her body, but the police
¹⁸ had blocked the officer doing -- you know what
¹⁹ I mean? Like, I couldn't see the second or
²⁰ third one, but I could just see her body.

²¹ Q. Okay. You didn't see her
²² actually get tased. You just heard what you
²³ perceived to be the taser --

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¹ A. I saw the first tase. But then
² the second one and third, the police were --
³ because of my position, the police blocked it.
⁴ I could just see her body being -- not moving.

⁵ Q. When in relation to what was
⁶ happening with TDH were you tased?

⁷ A. Explain.

⁸ Q. Were you tased before TDH was
⁹ tased any of the times she was tased?

¹⁰ A. Yes.

¹¹ Q. You were tased first before she
¹² was ever tased?

¹³ A. Yes.

¹⁴ Q. Were you -- you said there were
¹⁵ two officers near you?

¹⁶ A. They were on top of me.

¹⁷ Q. On top of you?

¹⁸ A. Yes.

¹⁹ Q. The one in kind of a regular
²⁰ police uniform; is that correct?

²¹ A. There were two police officers
²² in police uniforms.

²³ Q. They both had -- I think you

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¹ said that one had, you know, the full police
² uniform on and you weren't sure what the other
³ one was wearing?

⁴ MR. HARP: No. That's not what
⁵ she said.

⁶ Q. What were each of the officers
⁷ who were on top of you wearing?

⁸ A. They were behind me. So the
⁹ only officer that I saw exactly what he was
¹⁰ wearing was the one that arrested me.

¹¹ Q. He was wearing a full --

¹² A. Patrol uniform.

¹³ Q. -- uniform?

¹⁴ A. Yes, sir -- ma'am.

¹⁵ Q. That's okay. And you didn't see
¹⁶ what the other officer was wearing?

¹⁷ A. He was an officer, but I didn't
¹⁸ see like what -- I wasn't even -- who cared?
¹⁹ I didn't care what he was wearing.

²⁰ Q. Okay. And could you -- did you
²¹ happen to see anything about his -- about his
²² person other than what he was wearing, his
²³ hair color, his skin color, that type of

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¹ thing?

² A. Yeah, I saw his face. I could
³ identify him in a picture.

⁴ Q. What color hair did he have?

⁵ A. Brown.

⁶ Q. And this is the officer that --
⁷ not the one that arrested you, the other one?

⁸ A. Yes.

⁹ Q. Okay.

¹⁰ A. He was kind of bald, so I don't
¹¹ know. Like, it was shadowed -- like, I don't
¹² how to explain it. It was just dark. It
¹³ would be -- I mean --

¹⁴ Q. Did you say anything to the
¹⁵ officers who were near you after you were
¹⁶ tased?

¹⁷ A. I don't recall.

¹⁸ Q. Did they say anything to you
¹⁹ immediately after you were tased?

²⁰ A. I just remember asking to sit
²¹ up. They told me to sit the fuck down or
²² something like that. As far as us having a
²³ conversation, we did not. I don't remember

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- 1 having a conversation with them.
 2 Q. Okay. So you were -- you had
 3 been tased, and you were still in the same
 4 location where you had been tased while you
 5 witnessed the first time TDH was tased?
 6 A. Yes.
 7 Q. Okay. Why did TDH not come home
 8 until Monday from her friend Emma's dad's
 9 house?
 10 MR. HARP: Object to the form.
 11 A. What?
 12 Q. I believe you said that TDH
 13 stayed at [REDACTED]'s -- friend [REDACTED]'s dad's house,
 14 she was there on Saturday and she was also
 15 there on Sunday and she did not come back home
 16 with you until Monday; is that correct?
 17 A. Yes.
 18 Q. Why is that?
 19 A. She was petrified.
 20 Q. To go back home?
 21 A. To come to Rainbow City.
 22 Q. Because -- okay. Because [REDACTED]
 23 lives in Southside?

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- 1 A. No.
 2 Q. Where does [REDACTED] live?
 3 MR. HARP: She meant --
 4 A. At that time?
 5 Q. Yeah, where was her dad's house?
 6 A. In Tidmore Bend.
 7 Q. Where is that? I'm sorry. I'm
 8 not from here.
 9 A. Gadsden over here. I'm not from
 10 here either, so I'm like --
 11 Q. But more into Gadsden?
 12 A. It was in Gadsden.
 13 Q. In Gadsden. Okay.
 14 Did she tell you that she did
 15 not want to come home to Rainbow City?
 16 A. Yeah.
 17 (Whereupon, a discussion was
 18 held off the record.)
 19 Q. (By Ms. Chandler) I just want to
 20 ask you about a couple of people that have
 21 identified to the defendants as people who may
 22 have information about what happened to you
 23 and TDH at the concert or shortly thereafter.

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- 1 So I just kind of want to ask you what you
 2 know about what any of these people may know.
 3 Okay?
 4 A. Okay.
 5 Q. Who is [REDACTED]?
 6 A. Don't know.
 7 Q. Do you have any idea what
 8 information she would know regarding what
 9 happened to you and TDH at the concert?
 10 A. No, ma'am.
 11 Q. What about [REDACTED]?
 12 A. No.
 13 Q. [REDACTED]?
 14 A. No.
 15 Q. [REDACTED]?
 16 A. No, ma'am.
 17 Q. [REDACTED].
 18 A. No.
 19 Q. Have you told us everything
 20 you -- and just what you know -- that Jaymon
 21 Palmer may have possibly seen or knows what
 22 happened to you and TDH?
 23 A. Ask me again.

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- 1 Q. Have you told us everything, as
 2 far as what you know, about what Jaymon knows?
 3 A. Yes, yes.
 4 Q. Where does Jaymon live?
 5 A. I don't know.
 6 Q. Do you have a cell phone number
 7 or any phone number for him?
 8 A. I'm not sure.
 9 Q. Even if it's saved in your cell
 10 phone?
 11 A. Possibly, yes.
 12 Q. Does [REDACTED] still live with
 13 her dad?
 14 MR. HARP: He committed suicide.
 15 Q. I'm sorry. At that residence
 16 that she lived at at the time of the concert?
 17 Does she still live at that residence?
 18 A. No, I don't know. I don't know
 19 where she lives.
 20 Q. You don't know where she lives?
 21 A. Yes, ma'am.
 22 Q. Do you have her -- or have
 23 access to her telephone number?

	Page 261	Page 263
1	A. Yeah. I think so, yeah.	1 A. Hamilton.
2	Q. Okay. Do you know who [REDACTED]	2 Q. Hamilton?
3	[REDACTED] is?	3 A. Yes, ma'am.
4	A. No.	4 Q. Okay. Who is [REDACTED]?
5	Q. Do you know who [REDACTED] is?	5 A. A friend of the girls.
6	A. Yes.	6 Q. Of TDH's and [REDACTED]'s?
7	Q. Who is that?	7 A. Yes.
8	A. A friend of my daughter's.	8 Q. Was she present at the concert
9	Q. Of TDH's?	9 that night?
10	A. [REDACTED]'s.	10 A. I don't recall, really.
11	Q. Of [REDACTED]'s?	11 Q. Do you know if she would have
12	A. Yes.	12 any information regarding what happened to you
13	Q. What if anything does she know	13 or TDH at the concert?
14	about what happened to you or what happened to	14 A. I have not discussed it with
15	TDH at the concert?	15 her.
16	A. I have not discussed it with	16 Q. Do you know Nicole Smith?
17	her.	17 A. That's my daughter.
18	Q. Was she present at the concert,	18 Q. Has she gone by the last name
19	if you know?	19 Smith at times?
20	A. I don't recall.	20 A. Yes.
21	Q. Do you have access to her	21 Q. Okay. But she doesn't go by
22	telephone number?	22 that name anymore?
23	A. Yes.	23 A. No.
	Page 262	Page 264
1	Q. Do you know [REDACTED]?	1 Q. Have you made any postings or
2	A. No.	2 comments on Instagram regarding the incident
3	Q. Do you know [REDACTED]?	3 at the concert?
4	A. No.	4 A. No.
5	Q. Did your daughter -- your	5 Q. Do you know a [REDACTED] or a
6	daughter Nicole, does she go by Nicci	6 [REDACTED]?
7	sometimes?	7 A. I don't know her personally, but
8	A. Yes.	8 she's on Facebook.
9	Q. Has she ever gone by the name	9 Q. Have you been in contact with
10	Nicci Hamilton?	10 her via Facebook?
11	A. Yes.	11 A. Contact, meaning what?
12	Q. But she -- she now goes by	12 Q. Have you -- have either of you
13	Nicole Anderson?	13 exchanged Facebook messages --
14	A. I'm not sure if she changed her	14 A. Personal messages, no. Have we
15	name yet. She -- they just got married.	15 commented on each other's posts, I believe so.
16	Q. When did they get married?	16 Q. Okay.
17	A. I don't know the date.	17 A. Yes.
18	Q. Has it been in 2016?	18 Q. Have you had any other contact
19	A. It was recent. Last 30 days.	19 with her?
20	Q. Within the last month?	20 A. No.
21	A. Yes.	21 Q. The posts or comments that
22	Q. Okay. What was her name before	22 you've made on [REDACTED]'s Facebook, did
23	Anderson?	23 those have to do with this incident?

<p style="text-align: right;">Page 265</p> <p>1 A. I believe in the very beginning 2 she posted a -- her -- she is an opinionated 3 kind of person, and she posted a -- made some 4 kind of post about the situation. And I can't 5 recall if I responded -- I think I might have 6 said thank you or -- I don't know what I said. 7 I don't remember what my comment was, if I did 8 make one.</p> <p>9 Q. Did you view any video that she 10 posted to Facebook or YouTube of her talking 11 about what happened to you or TDH?</p> <p>12 A. No, uh-uh (indicating no).</p> <p>13 Q. Are you seeking any money from 14 the defendants regarding to the time that you 15 were not working at your cleaning business?</p> <p>16 MR. HARP: Object to the form.</p> <p>17 Do you understand the question?</p> <p>18 THE WITNESS: No.</p> <p>19 Q. Let me rephrase it. I know you 20 had a period of leave during your surgery that 21 you were not working at your cleaning 22 business; is that correct?</p> <p>23 A. Yes.</p>	<p style="text-align: right;">Page 267</p> <p>1 during the concert? 2 A. Yeah, yes, ma'am.</p> <p>3 MS. CHANDLER: Okay. Thank you, 4 Ms. Helm. I don't have any further questions.</p> <p>5 THE WITNESS: Thank you.</p> <p>6 MR. HARP: I think you're done.</p> <p>7 MR. HOWARD: You're done.</p> <p>8 (Whereupon, the deposition 9 concluded at 4:01 p.m.)</p> <p>10 (FURTHER DEPONENT SAITH NOT)</p>
<p style="text-align: right;">Page 266</p> <p>1 Q. Did you have to take any further 2 time off from your cleaning business apart 3 from that medical leave for your surgery?</p> <p>4 A. Oh, yes.</p> <p>5 Q. To deal with any of your 6 injuries from this?</p> <p>7 A. Yes, yes, yes.</p> <p>8 Q. How long was that? How long did 9 you have to take off apart from your medical 10 leave from your surgery?</p> <p>11 A. I -- huh. Well, I don't know if 12 I added up all the days, because I still do to 13 this day. Like, I -- yeah. Like, you know, I 14 feel bad so I can't go in, you know.</p> <p>15 Q. Do you have --</p> <p>16 A. I have to reschedule or just 17 forget it.</p> <p>18 Q. So there's times that you 19 haven't been able to go clean a residence 20 because of --</p> <p>21 A. Do anything, really. Just stay 22 home.</p> <p>23 Q. Because of what you suffered</p>	<p style="text-align: right;">Page 268</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 STATE OF ALABAMA) 4 ETOWAH COUNTY)</p> <p>5 I hereby certify that the above 6 and foregoing proceeding was taken down by me 7 by stenographic means, and that content herein 8 was produced in transcript form by computer 9 aid under my supervision, and that the 10 foregoing represents, to the best of my 11 ability, a true and correct transcript of the 12 proceedings occurring on said date at said 13 time.</p> <p>14 I further certify that I am 15 neither of counsel, nor of kin to the parties 16 to the action; nor am I in any way interested 17 in the result of said cause.</p> <p>18</p> <p>19 /s/ Elizabeth Law Lankford 20 Elizabeth Law Lankford, CCR 21 Court Reporter and Commissioner 22 ACCR#: 214, Expires: 9-30-2016 Commission Expires: 11-4-2017</p>